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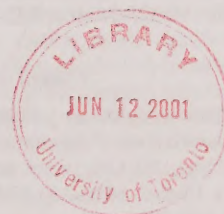
**Assemblée législative
de l'Ontario**
Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Monday 4 June 2001

Lundi 4 juin 2001



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 4 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 4 juin 2001

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

DOCTOR SHORTAGE

Mrs Lyn McLeod (Thunder Bay-Atikokan): The doctor shortages in my home community of Thunder Bay have never been as critical as they are now. We are losing one of only two gastroenterologists, and his patients have nowhere to go. These are people who are ill, and they are put on waiting lists to be seen sometime in the year 2002. We're in danger of losing two of our four radiologists. If that happens, it will not be possible to provide MRI diagnosis in northwestern Ontario's regional hospital.

Thunder Bay already has vacancies for 62 specialists. That means we are 42% short of the numbers of specialists that are needed to provide care in northwestern Ontario's only regional centre. This creates enormous workload pressures for the remaining physicians, which is why more and more doctors are leaving our community. Emergency room physicians cannot continue to work all the overtime shifts that are required to keep our emergency room doors open, and there are not enough family doctors to provide backup coverage to the emergency room specialists.

The ability of our community to provide medical care is barely being sustained, and patients' lives will truly be at risk if this government does not recognize the urgency of the situation. Announcements of good intent to do something two years from now or four years from now will not avoid the full-blown crisis that's just around the corner.

The minister announced that they're prepared to move ahead with the accelerated licensing of foreign-trained physicians, but they haven't actually done anything to make that happen. The expert panel on doctor shortages said that \$11 million for recruitment and retention initiatives is needed immediately. The minister hasn't even mentioned that recommendation. Even the new medical school spaces are not to be in place for another year and a half, and those doctors won't be out in communities until 2008 at the earliest.

If patient care and people's lives count for anything at all, surely something more can be done.

AMERICREDIT CORP

Mr R. Gary Stewart (Peterborough): I rise in this House to welcome a new business to my riding of Peterborough, AmeriCredit Corp. AmeriCredit Corp, a Texas-based financial services company, recently announced its plans to open a call centre in Peterborough. This means jobs and a boost to our business community. Fortune magazine calls AmeriCredit Corp one of the 100 fastest-growing companies in America. Founded in 1992, it has grown from a handful of employees to its current complement of 3,600, based in 202 branch offices in the US and Canada.

Already a multi-billion dollar player in the area of purchasing and servicing of automotive loans, AmeriCredit is dedicated to running a tight ship with integrity as its rudder while aggressively pursuing future growth. AmeriCredit has a mission statement encompassing integrity, investment, innovation and information, both within the company and outside of its walls.

As the MPP for Peterborough, I'd like to extend a warm welcome to AmeriCredit and thank them for choosing Peterborough for the new call centre. I know they will be happy with their choice. Where else can one have a university, a college, a proposed new hospital, beautiful waterways and countryside, all within the very community where they work and live?

CONTAMINATED SOIL

Mr James J. Bradley (St Catharines): With the news that testing done by a consulting firm hired by the lawyer acting for some Port Colborne residents affected by nickel contamination has shown levels significantly above provincial safety guidelines inside two homes near the Inco plant, it is essential that the Ontario Ministry of the Environment and the Niagara health unit, with the assistance of the Ontario Ministry of Health, move rapidly to conduct their own comprehensive tests for nickel and any other toxic metals inside homes in this neighbourhood. It is important that the Ministry of the Environment, even with its vastly reduced staff and financial resources, devote additional human and financial resources to proceed quickly to deal with the results that are now in and gather further data.

As was the case in the Niagara neighbourhood of Toronto and south Riverdale, extensive removal of contaminated soil should take place and the cleaning of homes with the latest and best equipment—industrial cleaning, if you will—must take place at the earliest

opportunity. Residents living adjacent to the plant should be relocated temporarily while cleaning takes place, and permanently if necessary. Compensation should be paid if costs have been incurred by the residents and if their homes are declared to be uninhabitable.

The lead cleanup in the Toronto neighbourhoods which were located next to old smelters that smelted lead provide, perhaps, a model to follow. Government action is essential, and I urge the minister and support the minister in any efforts to do so.

FIREFIGHTERS IN NORTHERLAND

Mr Doug Galt (Northumberland): Today, I would like to draw attention to the efforts of the firefighters, both professional and volunteer, in my riding of Northumberland. On Saturday I had the pleasure of attending the opening of a new state-of-the-art fire hall in Harwood, Ontario, on the shores of Rice Lake. I commend the township of Hamilton for providing the best infrastructure possible to support the efforts of our local firefighting teams.

Unlike larger municipal areas, rural areas depend on volunteer firefighters to assist in the efforts of professionals to respond to local emergencies. These volunteer contributions are critical to the success of small departments, and I take my hat off to those volunteers.

Supporting those efforts are the community members. No greater example of this is the contribution of the Harris Boat Works, who have provided half the cost of a \$20,000 emergency services boat for the use of local firefighters at the new Harwood station. Another \$5,000 was provided by the local Rotary Club, and the balance will be covered through additional public fundraising. What a tremendous gift to the community in recognition of the important role our firefighting personnel play in protecting lives and property.

Again, I would like to commend these generous contributions and offer congratulations to the township of Hamilton for these improvements to their emergency response infrastructure.

CLOSURE OF OUR LADY OF MERCY SCHOOL

Ms Caroline Di Cocco (Sarnia-Lambton): We closed yet another school in Sarnia-Lambton. The cuts have forced the closure of Our Lady of Mercy, whose current enrolment is at about 80% capacity. There's no room in the province under Mike Harris for small schools.

Yesterday I attended the ceremonies in tribute to the contributions made to the community by Our Lady of Mercy school. As I walked through this school, which I attended for all of my elementary years, I felt as if there had been a death. Any time a school closes, a part of the community is left empty. Why is it that this phenomenon of closing schools has become so commonplace around this province?

This school has been existence since 1888 and it was renovated at a cost of \$500,000 in 1986. I have great difficulty with the decision to close a school that is at almost 80% capacity. There is something fundamentally wrong here. This is the result of an extreme form of government such as we see here at Queen's Park these days. This government has forgotten the human impact of decisions made only on the basis of money.

The ceremony at Our Lady of Mercy school lasted a few hours, the struggle to save the school lasted a year, but the loss will have consequences on the community for a long time into the future.

CONTAMINATED SOIL

Ms Marilyn Churley (Toronto-Danforth): I rise today to urge the Minister of the Environment, and indeed the entire Harris government, to take seriously the contamination of not just the soil but some of the houses in Port Colborne by nickel nitrate, I believe, or sulphate, it's called.

I was quoted in the Hamilton Spectator today, and in other news releases, demanding that the government relocate some of the people who are living in the houses where we now know there actually are contaminants that could cause and are known to cause cancer. The local member of parliament there disputed what I said and said, "Well, she's not a medical officer of health. What does she know?"

1340

I would say that no, I'm not a medical officer of health, but I want to say to that member and to the entire caucus and government that I lived through a period in south Riverdale where there was land contaminated with lead, and for years the governments of the day said there was not a problem. It took years for members of the NDP, David Reville, Jim Renwick and others, to convince this government that there was a problem.

By the time they did the tests and took remedial action, many of the children in my riding were contaminated with lead and have learning disabilities to this day. We cannot fool around with people's health. The government should act now and should act swiftly.

PAUL ROSEN

Mrs Tina R. Molinari (Thornhill): As the Stanley Cup final is coming to a close and many Canadians eagerly await its outcome, a Thornhill resident is preparing for next year's Paralympic Games in Salt Lake City, Utah. Paul Rosen is one of 15 players recently chosen to don the red-and-white uniform as a member of the Canadian national sled hockey team.

Hockey as always been an integral part of Mr Rosen's life in many different aspects. He has always been a player but he has also been an assistant coach, trainer and general manager of a club team in Israel. His achievement in making the Canadian national sled hockey team is truly remarkable, especially with the adversity that Mr

Rosen endured recently. He lost his leg in June 1999 and he started playing sled hockey only eight months later.

Sled hockey has been a medal sport at the Paralympic Games since 1991. In the last Paralympic Games Canada reached the final, to come second only the Sweden. But at last year's world championship in Salt Lake City, Canada skated off with the title. With the final roster being chosen, Team Canada will have a training camp in November in preparation for next year's Paralympic Games and will participate in a three-nations tournament in Nagano, Japan, in November.

On behalf of the residents of Thornhill I would like to extend my congratulations to Mr Rosen and the other Canadian sled hockey team members. I would also like to take this opportunity to wish them well in the years to come in the Paralympic Games.

HIGHWAY 69

Mr Rick Bartolucci (Sudbury): Sadly, the carnage continues and the people of Ontario are beginning to see a common theme with this government. Once again they are being forced to ask, "How many people must die before the Harris government takes action?" This week-end, Highway 69 claimed the lives of six Ontario residents and six more left in serious condition in two separate vehicle accidents.

For the last six years I have been urging the Harris government to take immediate action and four-lane Highway 69 from Sudbury to Parry Sound. Exactly one year ago I stood in my place, again after a tragedy, and pleaded with the then minister to begin the four-laning. In the last year and a half alone the carnage on this stretch of highway is staggering. Seventeen accidents have resulted in the loss of 26 lives.

I am horrified at this irresponsible and negligent government's attitude toward the loss of lives simply because the north doesn't fall into the political priority of this Conservative government. I am horrified that Ontarians die needlessly on an unsafe, winding and treacherous highway. I am horrified at seeing these horrific accidents and the pain they cause.

This government's blatant disregard for people's lives, its political posturing, its inexcusable contempt for the north, its lack of a plan and its inaction are sentencing Ontarians to death road.

Begin the four-laning now. Stop the carnage. Do it before death road claims more victims.

EDUCATION FUNDING

Mr Wayne Wettlaufer (Kitchener Centre): I have in my hand a letter that I received from Yvonne Iza, one of my constituents, and I would like to take the time to read some of it.

"Dear Wayne Wettlaufer,

"Recently, our son's school informed us of the announcement by the Ontario government with regard to tax credits for independent school tuition.

"We write to support this announcement because we presently support the idea of independent schools, where we feel we are giving our son the best education possible.

"It is not because we have lots of money to spend. In fact, we have downsized our house to spend more time with the children. What's more, the tuition to send our child to this school uses up my personal part-time income. I believe our position and responsibility is to raise children to be responsible adults within their communities. We thank the government for upholding and recognizing their responsibility to all the children in the province.

"Sincerely yours,

"Yvonne Iza."

Much to the surprise of the opposition, Ontario's parents are thanking us for giving them the right to have choice in their own children's education. There is nothing that is more important to a parent than his or her child. I don't see why the opposition, particularly the Liberals, can be opposed to letting parents have the right to choose where their children should go to school. At least one of my constituents supports this move, and considering that it's optional and it helps to represent more of Ontario, frankly, I don't see why the Liberals are telling those parents that they should not have that right, a right that no one should take away from them.

VISITORS

Mr Michael Gravelle (Thunder Bay-Superior North): On a point of order, Speaker: I'm sure that everyone in the Legislature will want to join me in welcoming 20 students and five staff from St Martin school in the beautiful community of Terrace Bay in my riding of Thunder Bay-Superior North. Thank you, Principal Barb Spadoni. They raised a lot of money to get here. Welcome.

The Speaker (Hon Gary Carr): That's not a point of order, but we welcome our guests.

INTRODUCTION OF BILLS

ONTARIO ENERGY BOARD AMENDMENT ACT (ELECTRICITY RATES), 2001

LOI DE 2001 MODIFIANT LA LOI SUR LA COMMISSION DE L'ÉNERGIE DE L'ONTARIO (TARIFS D'ÉLECTRICITÉ)

Mr Lalonde moved first reading of the following bill:

Bill 67, An Act to amend the Ontario Energy Board Act, 1998 to provide for protection against increases in the rates charged for the distribution of electricity / Projet de loi 67, Loi modifiant la Loi de 1998 sur la Commission de l'énergie de l'Ontario de façon à prévoir une

protection contre les augmentations des tarifs exigés pour la distribution d'électricité.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): This bill amends the Ontario Energy Board Act, 1998, to limit increases that the Ontario Energy Board can approve or affix in the rates that distributors charge for distributing electricity to consumers after section 26(1) of the Electricity Act.

VISITOR

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): On a point of order, Mr Speaker: In the members' gallery today we have Mr Jagtar Singh Kang, past member of the state Legislature of Rajasthan, land of my birthplace. He was also minister of industry and irrigation.

I ask all members, please, to join me in welcoming him to the Ontario Legislature.

The Speaker (Hon Gary Carr): We welcome our honoured guest.

1072550 ONTARIO LIMITED ACT, 2001

Mr Smitherman moved first reading of the following bill:

Bill Pr8, An Act to revive 1072550 Ontario Limited.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

MOTIONS

HOUSE SITTINGS

Hon Janet Ecker (Minister of Education, Government House Leader): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, June 4, and Tuesday, June 5, 2001, for the purpose of considering government business.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1350 to 1355.

The Speaker: Would the members kindly take their seats, please?

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted
Baird, John R.
Barrett, Toby
Bartolucci, Rick
Beaubien, Marcel
Bountrogianni, Marie
Bradley, James J.
Brown, Michael A.
Bryant, Michael
Caplan, David
Chudleigh, Ted
Clark, Brad
Clement, Tony
Coburn, Brian
Conway, Sean G.
Crozier, Bruce
Cunningham, Dianne
Curling, Alvin
DeFaria, Carl
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Flaherty, Jim
Galt, Doug
Gerretsen, John
Gilchrist, Steve
Gill, Raminder
Graville, Michael
Hardeman, Ernie
Hastings, John
Hodgson, Chris
Hoy, Pat
Hudak, Tim
Jackson, Cameron
Johns, Helen
Klees, Frank
Kwinter, Monte
Lalonde, Jean-Marc
Levac, David
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank
McMeekin, Ted
Miller, Norm
Molinari, Tina R.
Murdoch, Bill
Mushinski, Marilyn
Newman, Dan

O'Toole, John
Ouellette, Jerry J.
Parsons, Ernie
Patten, Richard
Phillips, Gerry
Pupatello, Sandra
Ramsay, David
Runciman, Robert W.
Sampson, Rob
Sergio, Mario
Smitherman, George
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Turnbull, David
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

The Speaker: All those opposed to the motion will please rise one at a time to be recognized by the Clerk.

Nays

Bisson, Gilles
Churley, Marilyn
Hampton, Howard

Kormos, Peter
Lankin, Frances

Marchese, Rosario
Martel, Shelley

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 77; the nays are 7.

The Speaker: I declare the motion carried.

VISITORS

Mrs Margaret Marland (Mississauga South): On a point of order, Mr Speaker: I know that the members of this House will wish to welcome Mr Wayne Barnes, who is the president and CEO of Goodyear, one of our leading Canadian companies; and Mr Glenn Maidment, who is the president-elect of the Rubber Association of Canada. They are in our members' gallery. Thank you.

The Speaker (Hon Gary Carr): That's not a point of order, but while we're welcoming special guests, we have with us today in the Speaker's gallery the legislative interns from the province of British Columbia. Please join me in welcoming our guests, who are just arriving.

1400

STATEMENTS BY THE MINISTRY AND RESPONSES

ENVIRONMENTAL PROTECTION

Hon Elizabeth Witmer (Minister of the Environment): This morning I participated in the launch of Pollution Probe's clean air campaign and commute. For

nine consecutive years this campaign has created awareness and inspired the people of Ontario to make clean air choices in their everyday lives. Last year, more than 380 tonnes of air pollution were kept out of the air as a result of Pollution Probe's campaign. I would like to thank Pollution Probe for their efforts, and I am pleased that our ministry was the lead sponsor again of this important campaign.

I also want to acknowledge that June 3 to June 9 is Canadian Environment Week. This week began 30 years ago to celebrate activities that care for and nurture our shared environmental legacy. Canadian Environment Week promotes the need for each and every one of us to recognize our roles in preserving our fragile environment. It reminds us that by making small changes in the way we live our lives, we can all take steps toward a cleaner and healthier environment.

There is a government-wide commitment to forge a new approach to protecting the environment. By shifting our focus to make the environment a broad responsibility across all ministries and beyond, we will ensure that Ontario is prepared to meet the environmental challenges of the 21st century.

But even with a commitment across all ministries, we cannot do it alone. This government continues to create partnerships with community groups, industry, businesses, academics, other levels of government and individuals to ensure that the vital responsibility of environmental protection is shared by everyone. Through this shared responsibility, we will create an atmosphere of continuous improvement.

As the summer season is gearing up across Ontario, I'd like to take this opportunity during Canadian Environment Week to remind my colleagues and citizens of Ontario of the many things we can personally do to protect our environment. The cottage and the backyard are where many Ontarians relax, enjoy summer and get back in touch with nature, but they may not be aware of the impact they have on the environment.

For example, running a typical gas lawn mower for two hours can create about the same amount of air emissions as driving a car from Ontario to the Maritimes. Other gas-powered motor tools like trimmers and chainsaws can be even more polluting than gas lawn mowers. This is why we are proud to have supported the Mow Down Pollution program, an innovative environmental partnership between government and non-government groups. The pilot program offered people a cash rebate to turn in their old, air-polluting gas lawn mowers for more environmentally friendly electric or rechargeable models. We were glad to work with the Clean Air Foundation and a number of private sector sponsors to make the program possible.

While more than half of all of Ontario's smog is the result of pollution from sources in the United States, we must do more here at home to improve our quality of air. Here are some other interesting facts to keep in mind while enjoying Ontario's summer:

A two-stroke, 70-horsepower engine emits the same amount of smog-causing pollution in one hour as driving

a new car 8,000 kilometres. Running a 100-horsepower personal watercraft for seven hours is estimated to cause more air pollution than driving a three-year-old car 160,000 kilometres. Simply driving our cars less and taking public transit even one day a week can make a big difference to the air we all share.

We also need to make sure that our vehicles are well tuned to run efficiently, and using less gas also helps. We should avoid idling our cars while stopped.

The products we use also have a large impact on our air quality. We should all try to avoid products such as aerosol sprays, oil-based paint and strong cleaning products, especially on hot summer days when smog levels are higher.

As well, we need to reduce energy demand. We can turn off lights when we're not using them, we can turn down air conditioners a few degrees, and we can make sure our homes are well insulated to cut down on wasted energy and air pollution.

The added bonus of these actions is that they will also cut down our energy bills. Other simple actions include recycling and composting food scraps and yard clippings, which drastically cut down on the amount of waste going to landfill.

As well, we can reduce the number of days that we water our lawns, and we can practise pesticide-free lawn and garden care.

While the role of individuals is vital to protecting our environment, the government of Ontario will continue to do its part to ensure environmental sustainability. Recently, this government has taken action to improve the air we breathe through proposed regulations targeting the electricity sector. We are also working with the transportation sector and other industry sectors to ensure the positive momentum of air quality actions underway continues.

Today's Pollution Probe Clean Air Commute is an example of our shared commitment to educate Ontarians about personal environmental choices. Through Operation Clean Water, we continue to work with our municipal, conservation authority and other partners to ensure Ontario has the safest and cleanest drinking water. And we are already well underway with legislation to clean up brownfields and are working to ensure that, through careful planning and management, companies are not creating any future brownfields.

So as we recognize Canadian Environment Week, let each of us take stock of our own personal actions. Let us take time today to remind ourselves that the responsibility for the environment is in our hands, and from our hands it will be passed on to future generations. Let us make sure not only that this summer is safe and enjoyable, but that each one of us does our part to protect our precious environment.

The Speaker (Hon Gary Carr): Responses.

Mr James J. Bradley (St Catharines): I find it unfortunate that the minister is trotted out these days by her staff to a number of photo ops instead of having the support from the rest of the cabinet for meaningful environmental initiatives.

I noticed her staff had her out with Imperial Oil, which we know as Esso, which produces the dirtiest gas in all of Ontario, and yet the minister was doing a photo opportunity with Esso the other day. I thought that rather inappropriate.

Today she was with Pollution Probe. The irony of that is that she's advocating public transit, and I believe she truly believes in it, yet her government has totally abandoned public transit. No longer do we have funding for various transit commissions across the province or operating funding for transit out of Metropolitan Toronto to other communities. That is gone. We're virtually the only jurisdiction in North America that does not provide that today.

The only answer they seem to have is to keep widening highways and encouraging more and more urban sprawl, which contributes negatively to the environment. Of course, the minister is presiding over a ministry which has had its staff cut by an unprecedented one third and its budget cut by some 45% in funding. That is a true example of what the government really believes the importance of the environment is.

The most powerful initiative within this government is the Red Tape Commission, which seems to walk over all Ministers of the Environment, one after another, tearing apart the regulations, trying to weaken the legislation, telling them they should be business-friendly instead of, of course, toughly enforcing the environment. Nothing can replace strong laws and tough and fair enforcement. All of these partnerships you have are very nice, but what you really require is a strong investigations and enforcement branch to go in, investigate, lay the charges and set an example for everybody else. The good corporate people will support that, as well as the whole population of the province.

I remember that behind closed doors—talking about air quality—the previous Minister of the Environment and the previous Minister of Energy were on the side of the polluting companies. They didn't want to remove sulphur from gas to the same extent as the federal government wanted to, and they didn't want to remove it as quickly. But when the final communiqué came out, they attacked the federal government, when everybody knew that behind closed doors they were fighting on behalf of the companies that wanted to pollute for a longer period of time and to a greater extent.

We have coal-fired plants in this province that are virtually untouched by this minister, outside of one. Nanticoke, which is the largest polluter in all of Canada, is going to be allowed to continue to burn coal. The minister has come up—at least her government has—with some hare-brained scheme to trade pollution credits with people down in the United States, with no overall cap. That certainly is a recipe for disaster in terms of air quality, with 1,900 premature deaths per year from smog in this province.

1410

As a result of Walkerton, we were to see certain action take place. All of us are waiting for action on factory

farms. Nothing has happened. The minister has been mugged in the hallways or the backrooms by her caucus, who won't let her pass this legislation. No action on the spreading of sludge, no staff to look after it, no rules and regulations. Again, I can't help but believe the minister wants to do this, but the powers that be in the government are not allowing her to do so.

No groundwater strategy, not enough funding for sewer and water projects in this province, all within the purview of the Ministry of the Environment.

Appointments to agencies, boards and commissions: I see people who are clearly anti-environment, in some cases, being appointed to these agencies, boards and commissions. I hope the minister can find pro-environment people for those particular agencies.

Water-taking permits: that's just totally out of control.

Also, they've abandoned recycling funding in the province to help out the municipalities.

Now, don't just take my word for it, because the minister is going to say, "Well, the opposition is naturally going to be opposed to the government." What I've got to say to the minister and to the government is, ask the Provincial Auditor. He's had several reports condemning the Ministry of the Environment and the Harris government. Ask two environment commissioners, even one who is the Tory president in North Bay. Both of those commissioners have condemned this government. I wish the minister well, but I'll tell you, she has no friends on that side of the House.

Ms Marilyn Churley (Toronto-Danforth): I guess I'm not going to be so kind to the minister. Pollution Probe says the focus of the campaign is to bring individuals to action against smog by promoting alternatives to the single-occupancy vehicle, and that is a good starting point for today. But if there is one individual in Ontario who should be motivated to action, an individual who is entrusted with being and who is paid a great deal of money to be motivated on this issue but who has not been motivated to take action on this issue, it is the Minister of the Environment.

To be fair to her, the previous Ministers of the Environment have been dismal failures as well. I say that because there were at least eight memos warning the government, former Ministers of the Environment, that their drastic budget cuts could put health or environmental protection at risk. Those were former ministers Elliott and Sterling. They were at meetings when they were warned that their drastic cuts could put people's health at risk and the environment at risk, and they did not tell the people that they were warned that these things could happen. And then we had Walkerton.

It is absolutely incredible that this minister can stand here telling people today that they should take action to promote alternatives to the single-occupancy vehicle, when it is her government and cabinet that refuse to fund public transportation in this province, the only jurisdiction in North America and the western world that is not helping support public transportation. She may be aware, by coincidence, that it is today that fares have

gone up on the Toronto transportation system—right here today. Evidence shows, and the statistics are there, that ridership goes down when fares are increased.

At the same time they're doing this, they are threatening to build seven new highways without putting a penny into public transportation in this province. How can the minister stand here today and tell us of her commitment and her government's commitment to curtailing air pollution in this province?

The NDP has put forward a plan. It's called the transportation trust fund. Other jurisdictions are doing something similar, and that is taking two cents out of the gas money—just two cents of that money—and putting it into a permanent transit fund. We would call on the federal government to do the same thing. That could promote public transportation and make sure that there are dollars in the system, year to year, so that we can plan ahead, instead of doing things that actually curtail and cut and hurt public transportation.

It is this government that repealed the NDP green planning act, which would discourage urban sprawl. And what is this government doing? It repealed that act. All its policies actually promote urban sprawl, which, as we know, leads to more people driving their cars and fewer people taking public transportation.

We have a situation where we have coal-burning plants, which we know now are one of the deadliest aspects of air pollution. The government has announced—it still hasn't been done—that they will convert Lakeview, after much prompting and urging by us and other people in the community asking this to be done, but nothing about Nanticoke, which is the largest polluter in all of Canada.

This is a very serious issue we're talking about here today. We know from the OMA that up to 1,900 people a year die from air pollution in this province. That is not acceptable. There are many things the government can and should be announcing today. The bottom line is, we want to hear that the money the government took out of the Ministry of the Environment when they took office will be put back, because even after the latest announcement in the last budget, the operating budget is still about \$43 million less than when they took office. That is shameful and unacceptable.

The other thing that they could and must do is to bring back the staff they laid off. It is already clear from the evidence before the Walkerton inquiry that that is where we need to go, and I call on the government today to do that.

ORAL QUESTIONS

EDUCATION FUNDING

Mr Dalton McGuinty (Leader of the Opposition): My questions today are for the Minister of Education. Minister, I'd like to pursue a matter with you which was

raised in the weekend media. One of your caucus colleagues, the member for Waterloo-Wellington, attacked your new voucher for private schools here in Ontario. I want to take the opportunity to congratulate him for his insight and understanding of this issue.

Mr Arnott believes in public education as an integrating force in society, and so do I. Mr Arnott believes that your voucher will lead to fragmentation of the education system, and so do I.

Madam Minister, you dismissed these very concerns when we raised them here on this side of the House on behalf of Ontario's working families. I now put them to you on behalf of your own caucus colleague, Mr Arnott. Would you tell him why you are proceeding with a voucher plan, which we all know will fragment and weaken public education?

Hon Janet Ecker (Minister of Education, Government House Leader): As the honourable member knows, we are not proceeding with a voucher plan.

Mr McGuinty: Minister, this is your own government's position quoted in the UN decision: "If the province of Ontario were required to fund private religious schools, this would have a detrimental impact on the public schools and hence the fostering of a tolerant, multicultural, non-discriminatory society in the province, thus undermining the fundamental rights and freedoms of others." That was a decision rendered just 15 months ago before the United Nations tribunal. That was based on the argument that your government put forward. Can you tell us why 15 months ago you argued, very compellingly, I might add, that funding private religious schools was a threat to a tolerant society but today you argue that it represents no such threat? Were you completely wrong then, or are you completely wrong today?

Hon Mrs Ecker: First of all, I think we should be very clear about the allegation the honourable member is putting on the table. What he is putting here in this Legislature is that somehow or other those parents who choose to send their children to independent schools or the education provided in those independent schools is somehow not tolerant, not acceptable to the values of Ontario. I think that's a very offensive notion that the honourable member is putting on the table here today.

1420

The other thing is that a strong public education system is important to the values of this province, very, very much so, and that is why we are not proceeding the way that he is suggesting. That is why we are continuing to increase resources for the public education system and at the same time invest a small portion of government resources to respect parental choice in independent schools.

Mr McGuinty: I will read back to the minister the same quote which was taken from the government's brief presented before the UN. These are your words, through your government: "If the province of Ontario were required to fund private religious schools, this would have a detrimental impact on the public schools, and hence the fostering of a tolerant, multicultural, non-

discriminatory society in the province, thus undermining the fundamental rights and freedoms of others." That's the Mike Harris government's position, taken just recently before the UN tribunal.

Madam Minister, you made that argument through the government, through Mike Harris, in a very compelling way. What I want to know, on behalf Ontario's working families, is, were you right then or are you right today?

Hon Mrs Ecker: Let's be clear what the government was rejecting. The government was rejecting taking money from the public education system and putting it somewhere else. Let's be very clear: this government has continued to put new money, more money, into the public education system because we believe that should be, that has been, that will be, that continues to be the priority of this government, to put more resources into the public education system.

We announced \$310 million on April 12. When we put forward the compromise solution for extracurricular, we added another \$50 million. When I put out the programs for strict discipline for students who had been expelled, there was another \$16 million. When I introduced the early reading strategy, something the honourable member said he thought we should do, and now of course appears not to recognize that, that was another \$24 million, new investments into the public education system which has been and remains and will continue to be the priority of this government. Nothing we have ever said has taken away from that.

The Speaker (Hon Gary Carr): New question.

Mr McGuinty: Madam Minister, I need do nothing more than use the very arguments you made before the UN against you today. That's what this is all about. I'm not inventing these things; I'm using your very own words.

Ted Arnott said this weekend that his concerns with your voucher plan don't begin and end because of his fears over the fragmentation effect it will have on public education.

Mr Ted Arnott (Waterloo-Wellington): On a point of order, Mr Speaker: The member opposite is absolutely wrong. At no point did I ever call this a voucher system. It is not a voucher system. You are absolutely wrong on that.

The Speaker: Order; the member take his seat. It's not a point of order. Sorry for the interruption, leader of the official opposition.

Mr McGuinty: The member also expressed the very real concern about the enormous cost. He said this was hard to justify, given your cuts in other areas. Of course, he is absolutely right: our public education system is in desperate need of funding for everything from textbooks to special education programs to English-as-a-second-language programs. Why won't you listen to Ted Arnott's concerns when it comes to the huge cost of your private voucher plan?

It seems to me that if you have hundreds of millions of dollars to further invest in education, then what you should be doing on behalf of Ontario's working families

is investing in public education. So why don't you do that?

Hon Mrs Ecker: The honourable member keeps ignoring—deliberately, obviously, because it undermines his argument—the fact that this government has had four separate announcements in the last month about increasing investments, about increasing money for this upcoming school year, again, for strict discipline programs, for an early reading strategy to help our children in kindergarten to grade 3.

But if we want to look at the record, and the honourable member loves to talk about the record, let's look at the honourable member's record on this issue. When asked from the Ontario Jewish community, he said he has no ideological opposition to ensuring public funds support Jewish day schools. "Will you provide families with a tax credit?" "If we're looking at equity, yes," he said—but somewhere down the road, not today. Today, it's the fight of his life, but tomorrow? Maybe tomorrow it's OK. If you want to talk about records, to the honourable member, you better look at your own record, because you certainly have been firmly ensconced on both sides of this issue.

Mr McGuinty: I am very proud to say that our commitment to public education has never once wavered.

Madam Minister, you yourself said in the past that funding private schools could cost as much as \$700 million, so I want to come back to what that public money might be used for. When your finance minister was asked recently whether or not Ontario taxpayers should be paying to send kids to some of the world's most exotic and elite schools, in locales throughout the globe, he refused to rule out that possibility. I know that you have better sense in this regard. Can you tell Ontario's working families that you will never, ever allow public dollars to subsidize education in exotic locales like Geneva and Paris and Rome and London and Florence, and instead, you would prefer that those dollars go into public education?

Hon Mrs Ecker: First of all, to the honourable member, one of the arguments we used to the United Nations was—that they were asking us to do was take money from the public system and put it in the independent schools, and we said no, because that's not what we're doing. We were also asked to shut down funding for Catholic schools and we said no, that was something that was recognized by our Constitution in this country and we are prepared to support that.

Secondly, or thirdly, maybe the honourable member thinks that the children of our armed forces personnel don't deserve an education where their families are stationed. Clearly, we respect that parental choice. We respect those children whether they're here in Ontario or whether they're with their parents on missions across the seas.

The other thing: he says he supports public education—

Interjections.

The Speaker: Order. Come to order, please.

Sorry, Minister?

Hon Mrs Ecker: He says he supports public education. He tells the Ottawa Citizen, "I support the testing of our schools," yet his education critic is out there saying no, they don't. He says he's in favour of making changes to stop sexual abuse but the Safe Schools Act that helps us do that, he calls—

The Speaker: The minister's time is up.

Mr McGuinty: Madam Minister, it seems to me you've got three full-time jobs now. You're Minister of Education, you're House leader, and the other full-time job for which you've assumed responsibility is bailing out the finance minister day in and day out.

Now you tell me you've got the army on your side. It's great to receive this news.

Hon Mrs Ecker: Your federal Liberal cousins aren't on the army's side, so someone has to be.

Mr McGuinty: Every day, Madam Minister, it becomes—

Interjections.

The Speaker: It's too noisy in here. We're getting a little carried away now. Sorry, the leader of the official opposition.

Mr McGuinty: Every single passing day, it becomes more and more apparent that this was made out on the back of an envelope. It represents a massive flip-flop of Olympian proportions. You argued against doing this before the UN. Mike Harris said he'd never do this during the course of the campaign. What public education needs is a friend. You keep kicking it in the shins and bringing it to its very knees.

You know in your heart of hearts this stands for everything that you've argued against in the past. Why not do the right thing and scrap this policy?

Hon Mrs Ecker: First of all, the honourable member has had both feet so firmly planted on either side of a fence post, I sometimes wonder how he can continue to function. He said on the one hand he doesn't disagree with sending money to independent schools. His education critic agrees. He has members who agree. His new candidate in the by-election has clearly gone on record as saying, whether by government decree or court order, that Ontario's Jewish day schools will be publicly funded by the year 2000. So he can't make up his own mind, and clearly neither can his caucus.

What is very clear amid all the political rhetoric—

Interjections.

The Speaker: Order, the government members. The minister can answer for you. You're yelling over top and I can't even hear—I'm two feet away—for all the government members yelling. She can answer very competently for the government. Sorry, Minister.

1430

Hon Mrs Ecker: Thank you, Mr Speaker. That's the nicest thing you've said about me.

What is very important here, amid all the political rhetoric of the honourable member across the way, is that our commitment to public education—new funding, higher standards—continues, and I wouldn't stand for

anything less, and at the same time, we respect parental choice.

What the honourable member keeps saying is that maybe his principles are important today and maybe they're not important tomorrow—

The Speaker: Order. I'm afraid the minister's time is up.

New question.

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Finance. You continue to say that your private school tax credits or vouchers, whatever you want to call them, will not result in cuts for the public education system, but some opinion research has been done which shows that 15% of parents with children across Ontario would move their children from the public school system to private schools if you provided the tax credit and voucher enticements.

Now, 15% of students means 330,000 students across the province. Under your funding formula, if 330,000 students move from public schools to private schools, that's a \$2.3-billion cut to public education. Before you take even some small steps down that road, don't you think that people across Ontario deserve to be heard before you create even more problems for the public education system?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): As the Minister of Education has already pointed out today, our commitment to public education is firm. We fully fund the public education system in Ontario, which, as you know, includes not only the public schools but also the Catholic schools and the franco-phone schools. They have been fully funded; they will continue to be fully funded.

In addition, we propose to provide a tax credit for parents so that they can exercise their choice—not your choice, not politicians' choice, but their choice as parents for their children's education in Ontario.

Mr Hampton: Minister, 15% of parents with children across this province are very clear: if you're going to provide an enticement for them to move their children from public schools to private schools, they're going to choose to take it up. Fifteen per cent means 330,000 students moving from the public system to the private system. That's consistent with what's happening in the United States. In the United States, they use the same language that you are using. They call it the parental choice program, and in Milwaukee, when they made the same kind of vouchers or tax credits available, 15% of the students in the public system moved to the private system. In Ontario that means \$2.3 billion.

I think you either have to tell people you're going to make an additional \$1.5 billion a year available for private school funding and not affect public schools or you're going to have to cut public schools to find the \$1.5 billion in enticements for private schools. Which is it? Are you going to increase the budgets overall or are you going to cut public schools? And if you're going to increase the budget overall, where is the money going to come from?

Hon Mr Flaherty: I must say at least it can be said that the leader of the third party is consistent in his position. The Liberal Party says that they will repeal private school tax credits when they form the government and, I gather, paid \$50,000 to say that in the Toronto Star the other day. Then their candidate in the riding of Vaughan-King-Aurora says somewhat differently. He says, "If we don't get it (funding) by a court decision, we'll get it by way of a political decision." He says whether by government decree or court order, Ontario's Jewish day schools will be publicly funded by the year 2000. He said that in 1994. I guess he says something different today if he's going to listen to his leader, who apparently believes that he would repeal those tax credits.

Mr Hampton: Minister, thank you for telling us that the Liberals are trying to be on both sides of this issue at the same time, but we know that.

The issue, Minister, is simply this: in the United States, when they made tax credits and vouchers available to entice parents to move their children from public schools to private schools, 15% of parents started moving their children. Public opinion research already tells you that in Ontario, 15% of parents are prepared to remove their children from public schools and put them in private schools. That means a \$2.3-billion cut for public schools, and it means you've got to find almost \$1.5 billion to cover the tax credits for private schools.

You have to tell the people of Ontario, Minister. How are you going to do this? Are you going cut the public schools, which is what we think you're going to do, or are you going to increase taxes to provide for the private schools? Which is it? You can't have it both ways. The Liberals can't have it both ways, and you can't have it both ways. Which is it?

Hon Mr Flaherty: I appreciate the member opposite saying the Liberals can't have it both ways; they apparently think they can. The Leader of the Opposition was asked by Andy Barrie on his radio show in the morning on May 17, 2001:

Barrie: "Would you repeal that tax break?"

McGuinity: "Yes."

Barrie: "Unequivocally?"

McGuinity: "Unequivocally."

Then we have the ad last week: \$50,000 spent by the Liberal Party to say they'll repeal the tax credits. Then we have an interview by Mr McGuinity at the end of last week for the Ottawa Citizen, where he's asked, "Will you provide families with a tax credit?" and he answers, "If we're looking at equity, yes, somewhere down the road." That's consistency. Three weeks later, that's the story he tells the people of Ontario. You've got it surrounded. You're in a fog. You're just not up to the job.

Mr McGuinity: Mr Speaker, on a point of order—

Interjections.

The Speaker: Stop the clock. I need to hear the point of order. Government benches, please let the leader of the official opposition speak. Sorry for the interruption.

Mr McGuinity: On a point of order, Mr Speaker: I would draw to the Minister of Finance's attention the correction printed in today's Ottawa Citizen.

The Speaker: It's not a point of order.

PRIVATE CANCER CLINIC

Ms Frances Lankin (Beaches-East York): My question is to the Minister of Health. You have said that the private cancer clinic that you established at Sunnybrook is paid exactly the same as the publicly funded cancer care system.

Interjections.

The Speaker (Hon Gary Carr): Order. The member for Beaches-East York has the floor. I can't hear the question. I need to hear it. The Liberals will get another question in a minute, and then you can start back; but I need to hear the member. Sorry. The member for Beaches-East York.

Ms Lankin: To the Minister of Health: you have said the private cancer clinic that you established at Sunnybrook hospital is paid exactly the same as the public system: \$3,000 per case. You've also refused my repeated demands to make the contracts detailing that available to the public, and now I think I know why.

You see, it turns out there's a nifty little clause in that contract. It's section 2.6, and it absolutely guarantees that 500 patients will be referred to your private for-profit clinic. Now, 500 patients happens to be exactly the number that it needs to qualify for what was supposedly a special volume bonus. So there's no risk here for the private owners at all. The contract guarantees 500 patients and a payment of at least \$3,250 per case, not the \$3,000 per case that you led this House to believe. So your private for-profit clinic is going to get a full 8% higher than the amount paid to the public system.

1440

I was allowed to review this contract but not to make a copy, Minister. Why can't all of the people of Ontario, not just one MPP, see the special deal that you approved with this private health care clinic?

Hon Tony Clement (Minister of Health and Long-Term Care): I thank the honourable member for the question. Certainly I understand that she did have an opportunity to review the contract and have the discussion of that contract with the CEO. There is a value-for-money audit that can proceed, and we will co-operate fully with the Provincial Auditor on that.

When it comes to the contract itself, my understanding is that they haven't reached the 500th case, so I guess her interpretation of the contract is somewhat incorrect. When I compare, even at the top end, if it is \$3,500 per case as she mentions, plus the overhead costs, you compare that to the \$17,000 per case that we were costing the taxpayers of Ontario to send that cancer patient away from her family, away from her support network, to the United States, I'd gladly pay the \$3,500 per case rather than the \$17,000 per case that we were paying under the previous system.

Ms Lankin: Do you know what? We'd be really glad if you'd put that kind of money into the public system here in Ontario, Minister. That's the issue. You're the

minister who stands in this House day after day and talks about public accountability, talks about transparency for the taxpayers, and yet you refuse to make this deal public. Now that I have seen it, I can understand why. You've made a special sweetheart deal with this private company, and then you refuse to let the public even see what's in the contract. That way, you're able to incorrectly claim that private health care is cheaper and better and the public can't see the contract that proves, in fact, that you're wrong.

I've seen that contract. I think perhaps you and I are the only two people in this Legislative Assembly who have seen that contract. But my question is about the Ontario public. They have a right to know the secret deals you're making that give public funds for private health care. Given your own words of "public accountability" and "taxpayer transparency," why won't you make this contract public so that everyone can see what you're doing?

Hon Mr Clement: The logical inconsistency in the argument is that if she's seen the contract, then clearly it is not a secret contract. It is not a secret contract. I'm quite willing to supply any information that I have, and she obviously had access to that information as well. Anybody in this House can have the same access.

The other point of her argument, and I do want to correct the record: if anyone was confused about the honourable member's suggestions, she has also confused—and this happened a lot during the NDP government—gross versus net. The fact of the matter is that the amounts she was referring to in terms of payment were gross amounts. The contract in this case meant that they had to pay \$220 per patient for equipment, supplies and overhead, which are not usually charged when it comes to the financing of our hospitals. So when you actually figure out the gross versus the net, the private sector supplier is not in the position that she alleges they are in. I ask the honourable member to keep that in mind. Clearly, it was not something they kept in mind when they were in government.

CANCER TREATMENT

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Minister of Health. I want to talk to you today about something that means the difference between life and death for Ontarians, and that's cancer care.

Friday morning we heard that you were shutting Cancer Care Ontario down. Later in the afternoon we heard that, no, you may have some different plans for it. It was in 1997, not that long ago, that your government announced, with great fanfare, Cancer Care Ontario. You felt that it was going to play a very important role in terms of central coordination and ensuring that all Ontarians who suffer from cancer would have access to treatment in a safe and timely way. But working families are very concerned now about your announcement to wash your hands of cancer treatment in Ontario.

You've now had some opportunity to consider this. Can you tell us exactly, because Ontario's families are very concerned about this, what your plans are for Cancer Care Ontario?

Hon Tony Clement (Minister of Health and Long-Term Care): Thank you for the opportunity, to the honourable member, and I would say parenthetically that since 1995 we've increased funding for cancer care by almost 48%. I just wanted to get that on the record as well. That might be something the public might have some interest in.

I would say to the honourable member in answer to his question that the position of this government in 2001 is the same as our position in 2000, in 1999, in 1998, and in 1997, at which point—I know it's difficult for them to comprehend, but here's what we said in 1997. The Premier of the province, Premier Harris, stated that one of Cancer Care Ontario's goals would be to "coordinate and integrate cancer treatment services. That was our position in 1997, it is currently our position and it will be our position in the future. We have been absolutely consistent and we are moving forward with the integration of cancer care services to better serve the cancer sufferers and the public of Ontario.

Mr McGuinty: Minister, you didn't answer the question. You told us what you said about something in the past. Ontario families who have members who suffer from cancer are very concerned by your prognostications made last week.

They want to know exactly what you're going to do about their Cancer Care Ontario. It has served an important role as a central coordinating institution in directing treatment to the appropriate places. It's had some difficulties, no doubt about it, but our concern now is that you're going to throw the baby out with the bathwater.

The people inside Cancer Care Ontario have expressed these concerns to you. I want to give you the opportunity here and now; you told us what you're not going to do. What we want to know now is exactly what your plans are. What is it that you're going to do that is going to change in any way from the status quo when it comes to Cancer Care Ontario?

Hon Mr Clement: We are always looking for ways to better deliver services and make sure the funds are there. I mentioned in my remarks earlier that we've increased funding by almost 48%. That funding will be still in place. It will be a discrete funding envelope so that no other portion of our health care system would try to feed away money for that.

But we are looking at integrating the services at the local level of cancer care delivery to better treat cancer sufferers, to integrate their needs with the other needs that they take from our hospitals, so it delivers better cancer care. That is our goal; it has been our express goal since 1997 and we are in fact working with the board of Cancer Care Ontario and its chairman to realize that goal.

Nothing has changed. We are moving forward with a plan to do that. For the average person who, unfortun-

ately, has to rely on cancer care services, they should see little or no change.

ENVIRONMENTAL PROTECTION

Mrs Tina R. Molinari (Thornhill): My question today is for the Minister of the Environment. Minister, I hosted a number of round-table consultations in my riding. Certainly as a government we believe in listening to the public and what it is they want to see us do as a government.

In the next two weeks I will have the privilege of holding the fourth of five successful round-table sessions. This one will be focusing on the environment. The residents of Thornhill and surrounding communities have expressed to me their sincere gratitude regarding the scheduled closing of the Keele Valley landfill. However, with the recent reporting of southern Ontario's first smog advisory, I anticipate provincial pollution control measures to be raised during the round table.

Minister, could you please let me know what initiatives the government has taken in the area of pollution control so that I may report back to my constituents on our government's proactive approach to maintaining Ontario's precious environment. What is our government's plan to preserve our environment?

Hon Elizabeth Witmer (Minister of the Environment): I thank the member from Thornhill and I congratulate her on planning this successful table discussion in her riding to discuss the environment. We've certainly found that throughout Ontario there is a tremendous amount of interest in the environment.

I would just like to reassure the member that we are moving forward with the implementation of the Gibbons report, which requires all government ministries to work together. More importantly, this government is moving forward with a very careful monitoring and enforcement program. We believe strong enforcement is integral to the protection of human health and the natural environment. We have made our SWAT team permanent. We have hired 130 new enforcement and investigative-related staff. The number of charges laid in 2000 increased by 48% from 1999.

1450

Mrs Molinari: Thank you, Minister, for your response. Certainly maintaining, monitoring, and enforcing is a program that my constituents will be very happy to hear about. It sounds like we're doing a lot to preserve the environment. I will be proud to pass all of these initiatives on to the Thornhill constituents during the round table put forth in the details of the government's plan for Ontario's environment.

I have been informed that the pollution hotline implemented by your ministry has been very successful. Can you please elaborate on this hotline and its success so that I may be able to highlight some of the uses of helping to preserve Ontario's environment to my constituents.

Hon Mrs Witmer: The pollution hotline which was launched on April 17 of this year has been very success-

ful. It is a public reporting mechanism which enables anyone in this province to call the hotline at any time, 24 hours a day, to report incidents where they feel the environment is threatened.

I'm pleased to say that in the first two weeks the hotline received 325 phone calls. This resulted in 133 incidents being filed and all of these incidents have been sent for follow-up to the district office. This is just another indication of the commitment of this government to ensure that we get tough on polluters in the province of Ontario.

CANCER TREATMENT

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health.

Minister, we know what you intended to do to Cancer Care Ontario last week. You intended to turn Cancer Care Ontario into a shell, an empty shell, with no responsibility for delivering care to patients. You intended to eliminate provincial coordination of cancer services so that the waiting list for radiation therapy could be buried. You intended to make sure that Cancer Care Ontario would never put pressure directly on you or your government again to provide enough resources to meet standards of care across the province. You intended to go back to a fragmented system, with no assurance that cancer patients would have equal access to care, no matter where they lived in this province.

What we don't know, Minister, is whether you really are backing down on all of this. By Friday afternoon, all you wanted to do was to get this story off the front pages of the newspapers. Are you truly prepared to abandon your plans to merge cancer centres with hospitals, or are you just slowing down until the political heat eases off?

Hon Tony Clement (Minister of Health and Long-Term Care): If the honourable member is asking whether I'm backing down from the fictitious plan that made it into one of our nation's newspapers, I have to concede that since that was never my plan, I guess one could interpret it as backing down. But if the real question before us is, can we provide better care for our cancer sufferers, can we have a more integrated system for cancer care in our province, one that takes the best of the professionals and the best in our hospitals and the best in our system and integrates those at the local level, the answer is yes. That has been the position of our Premier, our province and our government since 1997.

We are working with the board, after the board made the unanimous motion to move ahead with integration. We are working with the board of directors of Cancer Care Ontario, with the chair of Cancer Care Ontario, and with cancer care providers to make a better system for Cancer Care Ontario. If she's against that, I seriously question whether that's the right thing to do in this particular case.

The Speaker (Hon Gary Carr): Supplementary.

Mr Richard Patten (Ottawa Centre): Minister, are you saying that there was no initiative and no directive

sent to Cancer Care Ontario that there would be a program to integrate their services into local regional hospitals? Are you saying, number one, that that did not happen? Number two, will you categorically state that you're not moving on dismantling a system that's taken a series of years, implemented by the previous minister—a very good minister, I might add—and now you're looking at dismantling this and creating a situation where no one would be able to tell you the length of time people will have to wait for treatment, the length of time people may have to wait for chemotherapy or radiation? That's what you will have.

You can appreciate why people might say—perhaps it's not true; then check the record or change the record and state it clearly—that this is just a way to push it aside so that clearly you will not be able to state the case of cancer treatment in Ontario today.

Next, there is a committee that's at work. Will you tell us the function of that particular committee? Is it to review and look at how to improve services and keep the independence of Cancer Care Ontario or is it an implementation committee, which you say is not the purpose?

Hon Mr Clement: The original questioner asked me whether it was our intention to create an “empty shell,” to use her words, for Cancer Care Ontario. Our intention very clearly is no. There is a need for a standard-setter. There is a need for a results-oriented examination of whether cancer care is delivered properly in Ontario.

If the question is, do we think there should be better integration at the local level to ensure that our cancer sufferers have better care, the answer is yes. We are moving ahead with that. We are moving ahead with an implementation team that is working with the board and with the ministry to ensure that it's done in a seamless way, in a smooth way, but the answer is, we're moving ahead.

We think it is important for the betterment of cancer treatment for cancer sufferers in Ontario to have a better integration of those services at the local level. I'm not equivocating, I'm not trying to deny anything; I'm saying that's where we're going and we are doing so in a way that has a very serious role for Cancer Care Ontario in the present and in the future, and has better cancer treatment for all of the cancer sufferers in Ontario at the local level.

ECONOMIC PARTNERSHIP INITIATIVES

Mr Doug Galt (Northumberland): My question is directed to the Minister of Finance. Minister, as you no doubt are aware, I have recently chaired the Task Force on Rural Economic Renewal for the Premier. During the task force's consultations and in subsequent meetings with my local municipal councils, I have found that red tape issues have been a significant frustration. Applications to the government's SuperBuild partnerships initiative have become a source of concern due to alleged red tape requirements. Some applicants have submitted 44 pages as part of a SuperBuild application. I'm sure you will agree that this seems excessive, particularly for smaller municipalities.

Minister, would you be willing to review the application forms to determine how efficient this process really is?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): I thank the member for the question. There has been a phenomenal response to the SuperBuild OSTAR and SCTP—that's the sports, culture and tourism partnerships initiative. Some 380 applications were received under OSTAR. SCTP has over 450 applications for contributions.

We did ask the municipalities and others submitting applications to complete business plans after developing them and to include capital asset management plans. We enunciated that we would be judging the proposals against six specific criteria: the need for the project, partnerships, innovation, cost-effectiveness, the financial plan, and the capital asset plan.

The information requested, of course, is to help the province make prudent investment decisions. We certainly want to avoid what was done by Human Resources Development Canada, by the federal government in Ottawa.

Mr Galt: Many thanks to you, Minister, for the response. I'm sure many of the partnership initiatives are indeed of the best intent.

There is also a concern that small-town and rural Ontario does not have the financial resources to become a full partner. Could you update us on the status of these various partnership initiatives?

Hon Mr Flaherty: OSTAR will provide \$600 million over five years for infrastructure and economic development. Its purpose is to invest in strategic infrastructure. That infrastructure is critical to the economic growth of Ontario and also our small cities, small towns and rural areas.

A minimum of \$240 million will be provided to support public health and safety infrastructure. We're proceeding with the mandatory engineering studies.

The sports, culture and tourism partnerships initiative was launched in December 2000. Letters of intent were due February 2, 2001, and the deadline for applications was extended to April 12, 2001. We expect to be proceeding with the responses to those applications this autumn.

COMMUNITY CARE ACCESS CENTRES

Mr Howard Hampton (Kenora-Rainy River): A question to the Minister of Health: Minister, last week when you were asked about your devastating cuts to CCACs, about your funding freeze of CCACs, you said that we should not jump to conclusions. You said that you were in the process of discussion.

Today, tens of thousands of home care patients across this province are either losing their home care services or having them reduced. It means, for some home care patients who cannot get the services any more, they will have to look at moving into a nursing home or a home for the aged, which will cost the health care system more

money and deny dignity to those frail elderly and disabled patients.

Minister, why have you frozen the budgets of community care access centres when you know that it's going to lead to cuts in home care and that cuts in home care will drive those frail elderly patients into nursing homes and homes for the aged? Give us the logic for doing this when it's going to reduce people's access to home care and result, in the long run, in more costs to the health care system.

1500

Hon Tony Clement (Minister of Health and Long-Term Care): First the honourable member says that there are cuts, then he says there's a freeze. I can tell the honourable member that in the last few years community care access centres' home care has seen an increase in their budgets in the order of 72%. So he's got a very strange definition of cuts.

I will say for the record that we have directed the CCACs to stay within their budgets, pending, as well, a third-party review of the CCACs and their ability to govern properly and their ability to manage home care properly. I make no bones about that. I think every segment of our transfer partners, as well as what the government does directly, should always be reviewed. It should always been seen whether there are better ways to deliver better services to more people on a more accountable level for taxpayers. So that is going on, and until that review is completed we are saying, not a penny less than last year but they have to live within their budgets.

Mr Hampton: Minister, it is less than last year because last year, as they took on all of the frail elderly, as they dealt with more and more acute care patients being put out of hospital, you covered their end-of-the-year deficit when they found that the demand for services exceeded the budget. This year you've already announced you're not going to do that. Given the fact that we have an aging population, given the fact that we have a great need for services, the fact that you're now going to freeze their budgets on top of not covering the end-of-year deficit means they are going to have to cut home care services. It is affecting tens of thousands of seniors across this province today.

Minister, you always talk about fiscal responsibility. If this is going to force more patients into nursing homes and homes for the aged, if it's going to force them to stay in hospital longer, which is more expensive, tell us, how is this fiscally responsible? But most of all tell us, how is cutting home care services going to improve health care for tens of thousands of patients across Ontario?

Hon Mr Clement: The honourable member, the leader of the third party, makes the fundamental error once more: he equates the ability to live within one's budget as automatically meaning service cuts. That's the NDP world. That is not the real world. The real world says that when you have to stay within your budgets, look for ways to deliver better services for less, at a more accountable cost to the taxpayer. That's the world most

of our transfer partners inhabit and that's the world in which the CCACs find themselves. We make no bones about that, no apologies: they have to live within their budgets, something that one didn't hear a lot under the NDP.

Speaking of NDP budgets, I'll just taken one region as an example of how far we have come in terms of meeting the needs of home care recipients. York region, for instance—I don't know why that came to mind, but York region came to mind—under the NDP it was funding of \$16.9 million. Under the Mike Harris government, for this year, it is \$49.7 million. Yes, we're asking them to live within that budget and we make no apologies for it.

The Speaker (Hon Gary Carr): New question.

Mrs Sandra Papatello (Windsor West): My question is for the Minister of Health and it concerns home care in Ontario. Minister, I'd like to you to tell the elderly women who today are facing the cuts under your ministry—because they are no longer getting the home care that they require to keep them in their homes. Last year to two years ago, the percentage of home care that used to be because of hospital discharges was 30%. Today, under your restructuring and your cuts, that number has moved to 70%. That means that all of the mostly elderly women who rely on home care to stay in their homes now are at the bottom of the priority list of what community care access centres can care for. I'd like you to tell these women who aren't getting baths, who aren't getting personal grooming, because you and I both know that community care access centre boards met last week and the week before to determine what services to cut to try to stay within your budget requirements—I want you to tell the elderly women, how do you expect them to stay in their homes now that you have mandated these service cuts?

Hon Mr Clement: Again, I'll give some more facts for the honourable member's edification: \$550.8 million was announced in 1998-99 in new community health services, in-home nursing, therapy, homemaking, supportive housing; \$389.7 million in new permanent funding has been announced by this government. I believe the record speaks for itself.

I can tell the honourable member that we provide the most generous level of home care services in Canada, approximately \$128 per capita. We are second to none in Canada. We are proud of that fact, but we are also a government that believes that one has to live within one's budget. That is true of us and it is true of our transfer partners as well. In this case, the transfer partners have to live within their budgets. We make no apologies about that. We make no prevarications about that. That's the reality and that's what the taxpayers of Ontario expect of us.

Mrs Papatello: This is about elderly women trying to stay in their own homes. This is about women who will be forced into long-term-care beds that you can't seem to build since you took office. Let me ask you this. You now want to freeze their budgets because you're going to do a review of home care, these home care agencies. Community care access centres would welcome a value-

for-money audit. I'm asking the minister, are you prepared to pay for an audit so that they can once again prove to you that they're doing their job, that the \$175-million deficit that community care access centres face across this province is your doing? You cut hospitals, forcing pressure on the home care system. In the end, it's mostly elderly women who fall to the bottom of the priority list, because they're not getting some very basic personal grooming needs met. You and I know both know these decisions happened, that this is already happening today in our Ontario. Minister, will you do a value-for-money audit, and will you pay for it, to prove in fact the money has been well spent and there's simply a deficit that will fall at your feet?

Hon Mr Clement: We would and we have. We have sponsored and paid for an independent third-party operating review of the operating procedures of the community care access centres. It looks at governance issues; it looks at operating procedures. We hope to have that finalized very soon and we'd be happy to share it with you. I can assure the honourable member that she'll be the first to know when that becomes available.

To those who are recipients of home care I would say that we have put our money where our mouth is. We have increased the system by 72%, put real dollars into patient care, direct-line patient care, direct-line home care for these individuals. The answer coming back from the honourable member always seems to be, "More money, more money, more money," not caring about whether it's actually spent on the front lines; the Liberal answer is more money. I would say I think it's time for the Dalton McGuinty spend-o-meter to be back in this House, because that is the kind of promise that is irresponsible; that is the kind of promise that they leave for the election campaigns. Now we're seeing it two years before the election campaign. God only knows how much money they'll spend and promise—a chicken in every pot—before the election. That is the irresponsible nature of the opposition.

ENERGY POLICY

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): My question is for the Minister of Intergovernmental Affairs. In a news release on energy issued during the western Premiers' conference on June 1, 2001, the western Premiers said, "It is essential that provinces and territories be full participants in international discussions related to energy."

Media reports indicate that Premier Ralph Klein of Alberta is scheduled to meet with United States Vice-President Dick Cheney in Washington on June 14 to discuss Alberta's role in the United States national energy policy. Minister, do you agree with the western Premiers that it's important that provinces be full participants in international discussions related to energy?

1510

Hon Brenda Elliott (Minister of Intergovernmental Affairs): I'd like to thank my colleague from Barrie-

Simcoe-Bradford for the question. Ontario's success is essential to the success of this great country. Thriving under the policies of the Harris government, over two thirds of the jobs created across Canada have happened right here in Ontario.

Of course, energy is essential to our ability to create jobs and be competitive. This government is committed to ensuring that Ontario's interests are considered and met in any negotiations concerning a continental energy policy. We recognize the federal government's jurisdiction concerning international trade and we think that each and every province should be involved with the federal government in this discussion. It's important, in international discussions of this nature, that commitments on energy policy recognize provincial jurisdiction over resources. Consultations by the federal government about an energy plan, to be meaningful, must ensure that Ontario's interests are heeded and reflected in any energy agreement.

Mr Tascona: Energy is critical to Ontario's competitiveness. Minister, can you explain how the Ontario government intends to ensure that Ontario's interests in energy are well represented?

Hon Mrs Elliott: I want to assure my colleagues here in the House and the people of Ontario that my cabinet colleagues and I continue to work diligently to ensure that our interests are represented. My colleague the Honourable Jim Wilson, Minister of Energy, Science and Technology, intends to discuss the Bush energy plan with his federal and provincial energy minister counterparts. He has indicated his interest in an early meeting of the federal, provincial and territorial ministers to agree on a process for full provincial participation in the development of any plan. And indeed, as my colleague has referred to, the western Premiers have called for a western meeting of energy ministers to take place in June. They've invited the federal energy minister and other provincial energy ministers to take part. This is a positive initiative.

I've written to my federal counterpart, Mr Dion, asking him to ensure that Ontario interests are well represented in any negotiations with the United States. There is a role for the federal government in balancing the interests of the provinces that produce with those that consume energy, and it is essential that individual provincial implications are understood and that provinces and territories are full participants in international energy discussions.

DEAF-BLIND COMMUNITY

Mr Ernie Parsons (Prince Edward-Hastings): My question today is to the Minister of Community and Social Services. Minister, I want you to imagine being in a room with not one glimmer of light—no matter how long you're in there, no light. Not only is that room pitch black, but there is no sound whatsoever. I want you to picture being in that room for six months, with no contact through eyes or through ears.

Last December, we passed in this House a bill to make June Deaf-Blind Awareness Month. Since that time, you've reacted to it by slashing funding for the deaf-blind by 5%. Only 10% of the deaf-blind community now receive the services. You've refused funding for a training centre for adults with acquired deaf-blindness. While the enrolment for interveners has plunged at George Brown College, you have done nothing to encourage that. There is no funding for volunteer recruitment, for screening, for training or for supervision.

Minister, in the last six months, what have you done for the blind-deaf community?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): Providing supports to those fellow citizens with a disability is a tremendous priority for me and for this government. I think we've done a great deal to help the lot of the disabled, particularly at my ministry, over the last number of years.

The member opposite talks about a funding reduction. If the member opposite wants to stand in his place and give me more details about that, I'd be very happy to look at it. In the budget we brought in not too long ago we put in additional funding to help graduates of the Ross Macdonald School in Brantford; we've increased the budget there. Last week we announced more than \$200 million in funding, increasing over the next five years, for people with developmental disabilities. We've increased support to help people suffering from autism with early intervention services. We've put in more money to help infant development. I think we've done a terrific amount to try to improve the services for our fellow citizens with disabilities.

I'm the first to acknowledge that we can do more. That's why we've been making increased investments in the past year.

Mr Parsons: The deaf-blind believe that now that we have the awareness month, it has made them a target rather than attracting support.

There are 4,200 individuals in this province who are deaf-blind. In January, the Canadian National Society of the Deaf-Blind and the Canadian Deaf-Blind and Rubella Association put together a proposal to help identify the deaf-blind in rural and remote areas in this province who receive no services. They've got federal funding for it. What they need out of the province is support for it—not financial support; simply agreement in principle that you believe this is a worthwhile project, no financial commitment, and yet, Minister, they've received no answer whatsoever from you to their January letter. January to June, they haven't even got a written acknowledgement that it has been received.

At absolutely no cost to this government, you could provide services to the deaf-blind rather than removing them, as you've done. Let the federal government at least provide some supports and services to our deaf-blind community. Will you now say yes and allow this project to go ahead to identify those in need in our province?

Hon Mr Baird: I will certainly go back to the ministry and look into the proposal which the member opposite cites.

I very specifically asked the member opposite to tell me about the 5% cut, and you offered absolutely no explanation of it, which suggests to me it's not true.

The Speaker (Hon Gary Carr): New question? The member for Durham.

Mr John O'Toole (Durham): My question—

Hon Mr Baird: On a point of order, Mr Speaker: I'd like to ask for unanimous consent—if the member opposite would like to get up and provide that, our party would be pleased to give it to him—

The Speaker: Order. The member now brings attention to it. That was marginal. I let it go. I'm going to ask him to withdraw it. You can't say that.

Hon Mr Baird: Withdrawn.

BY-ELECTION

Mr John O'Toole (Durham): My question is to the Minister of Finance and Deputy Premier. Minister, as we know, there is a by-election in Ontario. I was quite alarmed by the inconsistent reports from the Liberal candidate, Greg Sorbara.

It's clear here. He was asked to reconcile his strong views with those of his party, which hemmed and hawed on funding for years. Sorbara doesn't back away. The Liberals were equivocating, for he concedes, "We were not violently opposed or thoroughly in favour, but while in power we didn't do anything about the issue, and we're avoiding it for now." Minister, could you clarify this apparent inconsistency from the Liberal Party?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): I thank the member for Durham for the question. It's very difficult to tell on this issue. It depends on which Liberal you ask, what kind of answer you get. I know they spent \$50,000 on an ad that says they'll repeal the tax credit, but then in 1994 the Liberal candidate in Vaughan-King-Aurora said, "Whether by government decree or court order, Ontario's Jewish day schools will be publicly funded by the year 2000." He said the Liberals were equivocal. "We were not violently opposed or thoroughly in favour, but while in power we didn't do anything about the issue, and we're avoiding it now." He said, "We see the merits of both sides of the issue," in typically Liberal fashion.

Mr O'Toole: Thank you very much for that clarification, Minister. I do look forward to further comments on the debate because we've heard the Leader of the Opposition state three different times three different positions. Clearly, with a new candidate, who I think has some aspiration for leadership, there will be more to be heard on this issue in the future.

Hon Mr Flaherty: I thank the member for the question. There's this ad that says the Liberals will repeal the tax credit. Then the Leader of the Opposition tells the Ottawa Citizen—but there's a correction here, Speaker, and it's important that we get the correction accurately. It

was first questioned—this was the *Ottawa Citizen*, June 1, 2001—“Will you provide families with a tax credit?” Answer: “If you’re looking at equity, yes, somewhere down the road—”

The Speaker (Hon Gary Carr): Order for just a quick minute here. The questions are supposed to be related to government business. Quoting other people in here—I gave a lot of leniency because I’m not going to write the questions for people, but you know what—

Interjection.

The Speaker: Order. I don’t need you guys yelling at me while I’m talking, thank you very much, Minister of Finance and Deputy Premier. I gave a lot of leeway, but it’s supposed to be public policy. To read other people’s records during a by-election is not the purpose of question period. I gave a lot of leeway; if the Minister of Finance could come to some conclusion on that. I will not allow people to use the questions to turn them into partisan situations.

Interjections.

The Speaker: Order, and who wants to be thrown out first, for the members laughing? Solicitor General, do you want to be thrown out? I will do it.

Interjection.

The Speaker: No, you’re not allowed to yell when I’m doing a point of order.

I will be very clear: Minister of Finance, the questions in here are supposed to be relating to government business of the day; this is not, in my opinion. I will say very clearly that if the minister doesn’t get to his point very quickly, I’ll be up and we will go to petitions.

1520

Hon Mr Flaherty: Thank you, Speaker. Relating to the education tax credit, which is part of the budget bill, the quote, and it’s important that we get the corrected quote because the Leader of the Opposition raised a point of privilege, is corrected in today’s *Ottawa Citizen*.

Question: “Will you provide families with a tax credit?” Answer: “If we’re looking at equity, somewhere down the road—”

The Speaker: The minister’s time is up.

PETITIONS

MUNICIPAL RESTRUCTURING

Mr Dave Levac (Brant): To the Legislative Assembly of Ontario:

“Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

“Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

“Whereas the government has not delivered the promised streamlined, more efficient and accountable

local government, nor the provision of better services at reduced costs; and

“Whereas the promise of tax decreases have not been met, based on current assessments; and

“Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times, be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario:

“Immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local residents.”

I sign my name on this petition and hand it over to Katie.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I’m pleased to present this petition that again talks about cancer in the workplace, and much credit to the labour movement, the CAW in particular, for ensuring that this matter stays on the political agenda until it’s dealt with properly. The petition reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances (carcinogens); and

“Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

“Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances in work; and

“Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation.”

On behalf of my constituents and the NDP caucus, I proudly add my name to this petition.

EDUCATION TAX CREDIT

Mr Bill Murdoch (Bruce-Grey-Owen Sound): I have a petition to the Legislative Assembly of Ontario.

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent"—and Christian—"schools as soon as possible."

Thank you, Mr Speaker.

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This petition is to the Ontario Legislature. It deals with northerners demanding that the Harris government eliminate the health care apartheid which it is presently practising in Ontario.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province of Ontario; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I affix my signature to this petition of 2,000 people.

EDUCATION TAX CREDIT

Mr Rosario Marchese (Trinity-Spadina): "Whereas the Harris government is planning to take funds that our public schools desperately need and funnel them to private schools through tax credits; and

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools; and

"Whereas this initiative is in effect a voucher system and is the beginning of the end of quality public education in Ontario,

"Therefore, we, the hundreds of people undersigned, call on all members of the Legislature to fight and defeat this attack on the choice parents most want: stability, co-operation and respect in clean, safe public schools."

I support this petition.

Mr Doug Galt (Northumberland): This petition is addressed to the Legislative Assembly of Ontario.

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

GARDERIES

M. Jean-Marc Lalonde (Glengarry-Prescott-Russell) : J'ai une pétition qui provient de résidents de St Isidore de Prescott, ainsi que de Casselman.

« À l'Assemblée législative de l'Ontario :

« Attendu que la garde d'enfants en résidence privée comprise dans la Loi sur les garderies définit la garde temporaire, moyennant rémunération ou avantage quelconque, de cinq enfants au plus âgés de moins de 10 ans ;

« Attendu que dans les régions rurales, il y a un manque et en grande partie l'absence de transport en commun, et étant donné que la population est majoritairement éloignée des centres et des écoles ;

« Nous, les soussignés, présentons la pétition suivante à l'Assemblée législative de l'Ontario :

« Que le gouvernement de l'Ontario apporte la modification suivante sur la définition de la garde d'enfants en résidence privée comprise dans la Loi sur les garderies, permettant un nombre plus élevé que de cinq enfants de moins de 10 ans dans les régions rurales. »

J'y ajoute ma signature.

EDUCATION TAX CREDIT

Mr Peter Kormos (Niagara Centre): I've got a petition addressed to the Legislative Assembly of Ontario. It reads:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government plans to give parents a \$3,500 entitlement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

That's signed by Mario Iudiciani, David Street, Welland; Elizabeth Jansen, Westdale Drive, Welland; and thousands of others. My signature is affixed as well.

1530

STATUTORY HOLIDAY

Mr John O'Toole (Durham): Mr Speaker, it's my distinct pleasure to present a petition on behalf of hundreds of thousands of Ontario citizens. I'm not saying it would be completely endorsed by this government, but with your indulgence, I'll read it.

"To the Legislative Assembly of Ontario:

"Whereas a recent Ipsos-Reid National Omnibus survey revealed that almost half of Canadians today are suffering from a lack of free time in their lives. In addition, more than three quarters of Canadians—77%—support the introduction of a new public holiday in the spring or summer months.

"Here in Ontario, eight in 10 respondents—81%—are in favour of an additional holiday. We feel this is a strong indication that the people of Ontario deserve a long weekend this summer." I might say I support that myself.

"We, the undersigned, petition the Legislative Assembly as follows:

"To grant the citizens of Ontario a statutory holiday during the month of June."

I am submitting this on behalf of Steve Silverstone from Labatt Breweries of Canada and all of the citizens of Ontario who took the time to sign this important initiative in the province.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Ms Caroline Di Cocco (Sarnia-Lambton): "To the Legislative Assembly of Ontario:

"Whereas it has been determined that recent funding allocations to the developmental services sector in the communities of Sarnia-Lambton, Chatham-Kent, and Windsor-Essex have been determined to be grossly inadequate to meet critical and urgent needs;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Community and Social Services immediately review the funding allocations to the communities of Sarnia-Lambton, Chatham-Kent, and Windsor-Essex, and provide funding in keeping with the requests made by families and/or their agents."

I affix my signature to this petition.

ELECTRICITY GENERATING STATION

The Acting Speaker (Mr Ted Arnott): I recognize the member for Mississauga South.

Mrs Margaret Marland (Mississauga South): Jim.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: Jim is supposed to take Margaret's picture.

The Acting Speaker: I recognize the member for Mississauga South.

Mrs Marland: Thank you. My deep appreciation to all the members, especially the opposition House leader.

It gives me pleasure to present this petition on behalf of the member for Oakville, the Speaker, Gary Carr, and on my own behalf as the member for Mississauga South. It is a petition to the Parliament of Ontario.

"Whereas Sithe Energies Canadian Development Ltd is actively pursuing the development of an 800 MW electricity generating facility;

"Whereas the 14-hectare parcel of land on which the station is proposed is located on the east side of Winston Churchill Boulevard in the Southdown industrial district of Mississauga;

"Whereas Sithe has stated its commitment to an open dialogue with communities where it has a presence and to being responsive to the concerns of the same; and

"Whereas the government of Ontario has a responsibility to ensure the safety of Ontario citizens and to determine how this facility will impact those who live in its immediate, surrounding area,

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the government of Ontario direct the Ministry of the Environment to undertake a formal environmental assessment of the Sithe project."

There are now about 7,000 names on this petition and I am happy to add my name to it.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr Pat Hoy (Chatham-Kent Essex): "To the Legislative Assembly of Ontario:

"Whereas this government is planning a complete overhaul of the developmental services system, which could result in the closure of the three remaining developmentally handicapped regional centres;

"Whereas suitable quality medical, behavioural, social, emotional and spiritual services are readily available in the three remaining centres; and

"Whereas there is a distinct deficiency of services available in the private sector, including dentists, kinesiologists, psychiatrists, physicians, and emergency services;

"We, the undersigned, petition the Legislative Assembly of Ontario to ask that you recognize that the three remaining centres for developmentally handicapped individuals are providing a community for the residents that live there, and acknowledge that these centres deliver quality care and services by keeping them open and by directing private/public agencies with limited resources and services to access the resources at the centres and to work in partnership with them."

This petition is signed by a number of residents from Chatham and Paincourt, and I affix my signature to it.

ORDERS OF THE DAY

TIME ALLOCATION

ATTRIBUTION DE TEMPS

Hon Janet Ecker (Minister of Education, Government House Leader): I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 45, An Act to Implement measures contained in the 2001 Budget and to amend various statutes, when Bill 45 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered referred to the standing committee on finance and economic affairs; and

That no deferral of the second reading vote pursuant to standing order 28(h) shall be permitted; and

That the committee shall be authorized to meet on Friday, June 8, 2001, in St Catharines, on Monday, June 11, through Thursday, June 14, 2001, in Toronto, on Friday, June 15, 2001, in London, on Monday, June 18,

2001, in Sudbury and on Tuesday, June 19, 2001, in Ottawa;

That the committee meet on Wednesday, June 20, 2001, and Thursday, June 21, 2001, for clause-by-clause consideration of the bill;

That, on these dates, the standing committee on finance and economic affairs shall be authorized to meet outside of its regularly scheduled meeting times, but when meeting in Toronto, not during routine proceedings and that the committee be authorized to meet on June 21, 2001, until completion of clause-by-clause consideration;

That pursuant to standing order 75(c), the Chair of the standing committee shall establish the deadline for the tabling of amendments or for filing them with the clerk of the committee;

That, at 4:30 pm on Thursday, June 21, 2001, those amendments which have not been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill, and any amendments thereto;

Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 127(a); and

That the committee shall report the bill to the House not later than the first sessional day that reports from committees may be received following the completion of clause-by-clause consideration, and not later than June 25, 2001.

In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to be reported to and received by the House; and

That upon receiving the report of the standing committee on finance and economic affairs, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading; and

When the order for third reading is called, that two hours shall be allotted to the third reading stage of the bill, to be divided equally among all recognized parties, and at the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding "deferred votes"; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Acting Speaker (Mr Ted Arnott): The government House leader has moved motion 22. It is now time to call for debate on the motion.

Mr Dwight Duncan (Windsor-St Clair): Before I begin my debate, I move the following amendment to the time allocation motion:

The third paragraph of the government motion be struck out and the following inserted:

"That the committee shall be authorized to meet throughout the summer in at least 10 cities and towns, for at least 370 hours of public hearings. The venues for those hearings will be established by the committee and shall include Sudbury, London, Toronto and St Catharines."

The fourth paragraph of the government motion be struck out and the following be inserted:

"That the committee shall meet for clause-by-clause consideration of Bill 45 before the House resumes in the fall and that clause-by-clause consideration not conclude until all amendments placed by the government and opposition parties have been given due consideration."

1540

That paragraph 5 be struck out.

That paragraphs 7 and 8 be struck out.

That the words "and not later than June 25, 2001" in paragraph 9 be struck out.

That paragraph 10 be struck out.

That paragraph 12 be struck out from the government motion and the following inserted:

"The time allotted to the third reading stage of Bill 45 be the aggregate of 20 minutes times the number of members who did not speak at the second reading stage of the bill, such aggregate amount to be divided equally among the recognized parties."

I have copies of this for the table.

The Acting Speaker: The member for Windsor-St Clair has moved an amendment to the basic government motion, and it reads as follows: The third paragraph—

Mr David Tilson (Dufferin-Peel-Wellington-Grey): Dispense.

The Acting Speaker: No, I'll read the whole thing.

The third paragraph of the government motion be struck out and the following inserted:

"That the committee shall be authorized to meet throughout the summer in at least 10 cities and towns for at least 370 hours of public hearings. The venues for those hearings will be established by the committee and shall include Sudbury, London, Toronto and St Catharines."

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"The time allotted to the third reading stage of Bill 45 be the aggregate of 20 minutes times the number of

members who did not speak at the second reading stage of the bill, such aggregate amount to be divided equally among the recognized parties."

Mr Duncan: Last week we confirmed with the Clerk that in fact we could place this amendment to a government time allocation motion, and we did that for two reasons. The first reason is, we want to force the government members later today—because they're going to have to vote on this amendment—to stand up and vote and actually be recorded as voting to shut down debate on public hearings across the province of Ontario. This is not something we take lightly.

The second reason we've placed this amendment is to force the government to begin to debate this issue of province-wide hearings as opposed to the narrow shutting down of debates. We intend to use points of order to ensure the debate focuses on the amendment and not on the government's motion, so that we can get the government members to tell their constituents why it is they're trying to jam this bill into law without adequate consideration.

Let me address the amendments. First of all, why 10 cities and why 370 hours of public hearings? Well, the best comparative piece of legislation we could find was the Education Amendment Act, 1985. You'll be aware that that was the bill that extended full funding to Catholic schools in Ontario. That bill received a total of 80 days in committee hearings—370 hours and 28 minutes; 68 of those days dealt with public hearings and 12 days dealt with clause-by-clause legislation.

We think it's important on a major initiative of this nature, where the government has clearly changed its position, a position that was enunciated by the Premier in the election, which was spelled out very clearly in the government's presentation to the United Nations, which was again reaffirmed as recently as last year by the Minister of Education and the Premier in letters to my leader, Dalton McGuinty.

Why: clause-by-clause consideration being opened up the way it was throughout most of Confederation? So that the public understands, by doing what they were doing, the government was effectively saying to your member of provincial Parliament, "You cannot make a motion to amend a government bill. You cannot allow your point of view to be debated on the floor of the Legislature or in committee." The government wanted to effectively eliminate that. That's why we propose that every reasonable amendment be debated—every government amendment, every opposition amendment—and we think that's important. Why do we think that's important? Because this government, the Harris government, has used time allocation motions more than every government in the history of this province combined. What does that mean? That means, again, they're using their majority to not allow members of provincial parliament to speak about a bill. The way the rules work, very few members have an opportunity to speak in this House about the bill.

Third reading debate: what we're proposing to do is what has been done throughout most of history in

Ontario. This isn't a radical departure. This is going back to the way things were in terms of democracy, and that is, on third reading debate, to allow the members who did not have the opportunity to speak earlier on to get up and represent their constituents, to do the job they were paid to do; to be able to speak out and be recorded in Hansard for the public to see and to respond to. We don't think that's particularly radical. We don't think that it's wrong. What we think is wrong is a government that's taking a fundamental piece of education policy, changing its position entirely, not affording any more than a couple of days' debate, and jamming it into law in under two months. That is wrong, and this government has done it too often.

You know, we checked a little bit on this. The Davis and Miller governments, between March 1981 and May 1985, introduced three time allocation motions on 292 bills. The Peterson minority government, from May 1985 to September 1987, used time allocation once on 129 different bills. The Peterson majority government used time allocation on three of 183 bills. The Rae government used time allocation on 21 of 163 bills. Now, the Harris government, in its four years, used time allocation 41 times on 118 bills. Since the 1999 election and up to December of last year, the government used time allocation 22 times on 39 bills—22 times they shut down the public's ability to speak on a bill. Effectively, as my colleague from York West says, they shut down democracy.

This place worked quite efficiently and effectively for many years under different governments of different stripes. Indeed, I see members who served in the Davis and Miller governments here. Their governments only used time allocation three times on 292 bills.

We place this amendment today as yet another expression, first and foremost, of our opposition to extending tax credits for private schools and to our commitment that they will be repealed when Dalton McGuinty forms a government in two years.

The second reason we do it relates to our ability as a Legislature, and indeed as a people and as a province, to debate the great issues of our time in a full and frank fashion. This government has shut down those kinds of debates too often, and it's the commitment of Dalton McGuinty and the Ontario Liberal Party that this sort of abuse of democracy and abuse of the Legislature will end when we form a government in two years' time.

The Speaker (Hon Gary Carr): Thank you. Further debate?

1550

Mr Gilles Bisson (Timmins-James Bay): It was one of those speeches, you don't know where it ended.

I want to say first of all that I'll be sharing while in rotation our time with our education critic a little bit later.

I want to put a few things on the record that I feel very strongly about: first of all, that fundamentally the government is going in the opposite direction of what should be a good public policy position on the part of the Ontario Legislature.

We have had a tradition in this province for many years now, I would argue, for more years than most of us

can remember, that a good way of making sure we provide education that is affordable to children, that is universal to children and is accessible to all children has been by way of the public system. Back in the 1930s and 1940s we decided in this Legislature to move away from private education to public education because we'd seen what it gave when you had the mix of both a public and a private system together at the same time.

Many parents didn't have the opportunity to send their kids to school because they couldn't afford to under a private system. That was the very reason why this Legislature, some years ago, decided to create a public system and a separate system to make sure that those children in the province of Ontario had an opportunity to get access to what is affordable education and an education that is basically the same no matter where you are across this province, let it be Timmins, Hearst, Toronto or Windsor. All children are being put into an education system that has much the same curriculum, so that where you come from does not matter as to how you compete in today's economy. This government has decided, by way of this particular policy, to change that and to forget the history of what we have learned in this province when it comes to public education.

Among a number of things about this issue, one thing that really bothers me is that this government is doing this without any kind of a mandate. We know when we watched the speeches during the election of 1999, when we watched the leaders' debate in 1999, my leader, Howard Hampton, was very clear in questioning the Premier when it came to the question of private education. There were no ifs, ands or buts about it. Mike Harris, the leader of the Conservative government of the day that was running for re-election, was very clear and said, "We are not and I am not—read my lips—going to move toward private education." That's basically what he had to say.

Based on that, voters made a choice. They said, "There are some things we don't like about this government, but on that one we agree." By and large, people supported him in the election of 1999, so much so that they got 44% of the vote in the general election and, because of the first-past-the-post system we've got, ended up with over 65% of the seats in the Legislature.

So this government had a mandate to fund public education and to preserve public education and not to go in the direction of starting policies that fund a private system of education. What bothers me is that this government, without a mandate to make the change, because they have a majority in the House, just goes ahead and does it, without any consequence, without any thought about what kind of mandate they were given by the voters of this province. That is one of the reasons why you'll hear me on a number of occasions in this House and outside of this Legislature speak about—

Ms Caroline Di Cocco (Sarnia-Lambton): On a point of order, Speaker: I believe that we are to be speaking to the amendment to the time allocation motion. I believe we're not—

The Speaker: I appreciate that. We will listen closely. I'm sure the member for Timmins-James Bay knows that.

Mr Bisson: I'm getting exactly to that point, talking about democracy. I appreciate your bringing it up, because it brings me there a lot quicker. That is, basically you have a very undemocratic thing being done here today by way of this government. Not only are they changing a policy without a mandate, but they're doing so without any regard for the public, without any regard for true public hearings and what should be done when it comes to being able to deal with this bill.

This government says at the end of the day, "To be damned, the public. Not only do we not have a mandate to enact these particular changes of public policy, we're going to do it." Initially they said, "We're not even going to do any public hearings."

When you listened to the Premier and to the Minister of Education speak in this House but a week ago, those particular individuals, as members of the government and as spokespeople for the government, were getting up and saying, "No, no, we're just going to pass this legislation. If we do public hearings, we may have a couple in Toronto but that's about the end of it."

We stood up in this House as New Democrats and challenged the government and said, "How can you do that? You don't have a mandate," to my first point, "and second of all, because you don't have a mandate, it behooves you to make sure that there is a true process of public hearings on this particular bill." Initially the government said no. We kept on pushing them. In fact—you might have seen it on the news, and I'm sure the government members across the way saw it—we approached the government on their caucus day, which was last Tuesday. I and other members of the NDP caucus went to lobby the Conservative members at their own caucus meeting, standing outside the door handing out papers to the government members. I, Peter Kormos and Tony Martin, our education critic, stood in front of the doors to the Conservative caucus room and handed them leaflets and lobbied them in order to say, "We want you to hold public hearings. We want 80 days of public hearing across this province to give everybody who wants the opportunity a chance to be able to speak to this bill."

We stood there at that time lobbying the government, and to our surprise at the end of that process the government said, "Yes, we're going to have some public hearings." We thought initially our tactic worked. We came into the House, we pressed the government, we spoke to the minister individually and as a group, we went out and we lobbied the government. The New Democrats showed up at the Tory caucus meeting last Tuesday, we petitioned the members going into their meeting and a decision was made to have public hearings. We thought we won a battle.

But we find out that this battle was a bit of a hollow victory, because the government has said, "It's OK if you live in Windsor, it's OK if you live in Sudbury, it's OK if you live in Ottawa, but if you live anywhere else there's

not going to be a public hearing anywhere near your community." I say that's, first of all, very unfair to the people of this province, because I know there are people in Thunder Bay, Kenora, Timmins and many other communities across the province who want to speak on this particular issue, who feel strongly one way or another.

The majority of people in the communities I represent in Timmins, Kapuskasing and Hearst who have spoken to me on this issue, who have called my office or who have sent me letters or e-mails say, "We want to stay with the public system. We don't believe that the government should be providing either a voucher or a tax credit, whatever they want to call it, by way of education." But there are a few people in my community who do support it, and those people, in opposition or for, are not going to get an opportunity to speak on this particular issue in those other communities.

So I say to the government members across the way, you don't have a mandate on this issue. At no time did you campaign, in 1999 or in 1995, saying that you were going to introduce a voucher system of education in Ontario. You didn't say you were going to put in place a tax credit to give parents, as you say, "choice" to opt out of the public system into the private. The voters went out to the ballot boxes believing that you were going to be true to your word, you weren't going to break your promise and that at the end of the day you were going to stick to the public system.

Well, you broke your word, you broke your promise; you, the government that says, "We say what we do and we do what we say." They're hollow words. This government, I remind you by way of this particular policy, has broken its word to the people of Ontario. They have broken their promise. Their promise was to stay within a public system. Now they say, "We want to fund a private system by way of a voucher that's called a tax credit."

I say to the government across the way, if you feel so strongly that you have to break your promise to the people of Ontario, that you have to say to Mr and Mrs Ontario out there, "I, the Mike Harris government, am going to break my promise that I made in 1999, and I will move to a private system of education," the least you should do is hold true public hearings on this particular issue.

Your response has been to travel to a few communities in Ontario and give people in Toronto an opportunity to speak, because according to the government Toronto is the centre of the universe and everybody who lives outside Toronto should be able to get here lickety-split to speak on your bills. But the reality is that there are a whole bunch of people across this province who would like an opportunity to tell you how they feel when it comes to this issue who are not getting the opportunity.

I say we should do at least what your Conservative caucus called for in 1985 when we introduced separate school funding in Ontario. There was a campaign on the issue. People knew what the positions of both the New Democrats and the Liberals of the day were. They also knew the position of the Tories. Basically, an election

was held. Separate school funding became a reality in 1985 by way of legislation. At that time, the Conservative opposition said, "We are not going to stand for this unless you have true public hearings," and they called for 80 days of public hearings in Ontario so that people had their opportunity.

1600

You remember, Mr Speaker—you were here at the time—that there was a Liberal-NDP accord in place. David Peterson was the Premier of Ontario, supported by Bob Rae and the rest of the New Democrats. There was an accord that was formed, and that lasted for some two years, at which point 80 days of public hearings were given to the Conservative caucus by way of an acceptance of their position that there should be true public hearings on it, because we understood at the time that it was somewhat of a controversial issue.

This government says now that they want to move away from public education, they want to move to private education, and they're not prepared to do what they called for as Conservatives when they were in opposition in 1985. I say to the government across the way, it takes a lot of gall to walk in here and bring in a time allocation motion without any real public hearings in light of what you guys called for in 1985.

Some of your own members of this present government were part of that opposition party. Mike Harris, Mr Sterling and other people within the Conservative caucus who are here today were members of that opposition caucus, and they accepted that there should be true public hearings, and 80 days were given.

We say to the government across the way, you should do the same. We believe if it was good enough for the Conservatives in 1985 to call on the then government, the NDP-Liberal accord, to have public hearings on what is a fundamental issue of a policy decision within Ontario, if it was good enough for you, it should be good enough for us and the people of Ontario.

I say quite clearly to the government across the way that we call on you to have true public hearings on this issue. If you feel so strongly that the people of Ontario will support you on this issue and that people will flock to your side, then what have you got to be afraid of? You've got nothing to fear if you're so strong in believing what you do when it comes to this particular policy.

I listened to Mr Spina and other Conservative members as they walked into their caucus meeting last week, as Mr Kormos, Mr Martin, Mr Marchese and I were out—

The Deputy Speaker (Mr Michael A. Brown): Order. The member would know that you need to refer to members by their constituency, not by their proper names.

Mr Bisson: OK, ridings. The members for Trinity-Spadina, Niagara Centre, Sault Ste Marie and I, the member for Timmins-James Bay, were all there basically lobbying the government at the time to have public hearings. What did they say to us? They said, "Gilles, we

don't understand why you guys are so opposed to it. This is vastly popular." I remember a number of the caucus members, as they were going into the Tory caucus meeting, were saying, "People are on our side. Oh, yeah, they're on our side. We don't understand why you guys are opposed. You should see all the letters we're getting on this. Everybody is in favour." Well, if everybody is in favour and you think it's such a popular thing, then call public hearings. What have you got to be afraid of? Unless maybe you think you're on shakier ground than you actually are. Then maybe we understand what you're afraid of. I think that's where we're at.

First of all, not only have you made a huge policy shift when it comes to public education in the province, but I think you've underestimated the public. There are some people who support this position—I accept and I understand—but they are, by and large, not the majority of Ontarians.

I say very simply that if the government feels so strongly that they have to have this particular policy change two years into their mandate, that they've got to break their promise to the people of Ontario and move toward private education, then you should have the courage of your convictions and you should have full public hearings on this issue. We call on the government to do that for at least 80 days.

Ce n'est pas à chaque journée qu'on voit un gouvernement rentrer dans l'Assemblée faire une décision telle que la décision qu'a faite ce gouvernement, de faire un changement qui est complètement contraire à ce qu'ils ont dit dans les élections. Ce gouvernement a dit carrément en 1999, à travers le premier ministre, que oui, pas de problème, le gouvernement conservateur était complètement en accord avec la position NPD et celle de notre chef, M. Howard Hampton, que seulement un système public serait financé, et que, si le gouvernement conservateur serait élu pour un deuxième mandat, pas de question qu'ils n'étaient pas pour rentrer dans le débat de compléter un programme où qu'on aurait un système public et, sur l'autre bord, un système privé.

La plupart d'Ontariens et d'Ontariennes ont dit, « On est d'accord avec le gouvernement. On est d'accord avec M. Hampton sur cette question. » Le monde a voté. Ils ont fait le scrutin la journée du scrutin. Ils ont fait leur décision. Ils ont dit, par 44 % des voix, qu'ils étaient pour supporter le gouvernement, et une des raisons, c'était sa décision de financer un système public seulement et de ne pas rentrer dans le débat sur le financement d'un système privé.

Là, on voit que le gouvernement a brisé sa promesse, que le gouvernement, deux ans après cette élection, dit carrément au public : « On s'en fiche. Foutez-vous. On casse notre promesse et on fait ce que nous voulons faire à ce point dans notre mandat. »

C'est pourquoi je pense que le système démocratique qu'on a dans cette Assemblée ne marche pas. Il n'y a aucune manière de nous assurer, une fois qu'un gouvernement dit, dans les élections, qu'ils vont faire quelque chose, et qu'ils font complètement le con-

traire — on n'a aucun mécanisme d'intervenir et d'appuyer nos convictions contre ce gouvernement quand ça vient à cette décision.

Je dis au gouvernement, si le système démocratique ne marche pas, on doit le changer. Ça, c'est pour un autre débat. C'est pourquoi moi, je favorise un système de représentation proportionnelle où un gouvernement qui a 44 % des votes ne peut avoir que 44 % des sièges. De cette manière, ils n'auraient pas pu faire ce qu'ils ont fait la semaine passée. Ils auraient eu besoin soit des libéraux, soit des néo-démocrates pour les supporter dans leur décision.

Moi, je sais que le parti NPD est carrément d'accord avec le support pour un système public. Les libéraux, c'est une autre question ; on ne sait pas — un système de représentation proportionnelle, ils auraient besoin de faire la décision.

Mais là, on se trouve dans une situation où on n'a pas un tel mécanisme pour prendre le gouvernement à son mot. Je dis au gouvernement, on n'a qu'un seul autre mécanisme; et c'est à travers des audiences publiques. Le gouvernement, comme vous le savez, monsieur le Président, a dit premièrement, « Jamais on ne fera d'audiences publiques sur cette question. Nyet. On s'en va. Fini. On passe ce projet de loi par motion de clôture et on s'en va de cette Assemblée à la fin de juillet avec ce projet de loi, et aucune audience publique. »

Le Nouveau Parti démocratique était le seul à rentrer dans l'Assemblée législative dire au gouvernement, « Ce n'est pas acceptable. On pense qu'on veut aller dans la mauvaise direction. On veut que vous vous arrêtiez. On demande au moins des audiences publiques, 80 jours pour que la population ontarienne soit capable de se prononcer sur ce projet de loi. »

Initialement, à la période des questions, le gouvernement a dit non. Notre chef du NPD, M. Hampton, et notre critique, M. Marchese du comté de Trinity-Spadina, se sont levés dans cette Assemblée à beaucoup de reprises pour dire au gouvernement, « On demande carrément 80 journées d'audiences publiques sur cette question. » Initialement, le gouvernement a dit non. C'est pour ça que la semaine passée, mardi, les députés néo-démocrates ont fait du « lobbying » devant le caucus conservateur. On s'est plantés là. On a donné des feuillets aux députés quand ils rentraient dans leur « meeting » conservateur, et on a demandé, on a fait pression personnellement sur tous les membres du caucus conservateur, afin d'être capables de donner des audiences publiques.

Imaginez-vous, monsieur le Président. On était un peu surpris quand on a appris cet après-midi, ou plus tard ce matin, je dois dire, que le gouvernement avait renversé sa position, qu'ils étaient pour allouer des audiences publiques. On l'a pensé une victoire. Mais aucune victoire : ils veulent seulement faire des audiences publiques dans environ quatre communautés dans la province, et des audiences publiques d'à peine deux semaines. Ce n'est pas acceptable.

Premièrement, l'Ontario est beaucoup plus gros que Toronto. Il est beaucoup plus gros que Sudbury et Ot-

tawa. Elles font partie de nos communautés provinciales, mais il y a beaucoup d'autres communautés où le monde veut se prononcer sur ce projet de loi : Cornwall, Hamilton, Timmins, Hearst et d'autres communautés comme Thunder Bay, Kenora, Fort Frances. Ils veulent tous avoir l'occasion de commenter sur ce projet de loi. On dit au gouvernement que si en 1995, quand les conservateurs étaient en opposition, ils ont accepté et pris la position qu'il devait y avoir au moins 80 jours d'audiences publiques sur ce projet de loi, on vous demande au moins de faire la même chose quand vous êtes en train de faire ce changement au système privé.

Les libéraux ont demandé un couple de jours. On dit aux libéraux, « C'est beau, mais nous, les néo-démocrates, pensons que c'est important de faire au moins 80 jours d'audiences publiques. »

Je veux dire, avec ces derniers mots, que c'est très hypocrite, ce que le gouvernement est en train de faire. Ils ont brisé leur promesse au monde de la province. Ils ont cassé leur mot en disant, dans les élections de 1999, qu'ils étaient carrément pour un système public, et là, aujourd'hui, ils virent leur mot, disent non, brisent leur promesse, et décident de financer un système privé.

On dit qu'on doit avoir des audiences publiques d'au moins 80 jours, telles qu'on a eues en 1995 quand les membres de l'opposition conservatrice ont demandé à l'accord Peterson-Rae d'avoir ses audiences sur un système séparé.

Avec ça, je vous remercie beaucoup pour avoir cette chance.

1610

Mr Ernie Hardeman (Oxford): I'm pleased to rise today and speak to the motion before the House and the amendment put forward by the opposition. I will be sharing my time with the members from Thornhill, Northumberland, Durham and London West.

Budget 2001 is all about making responsible choices to ensure continued prosperity for the people of Ontario, both now and in the years to come. Bill 45 provides for implementation of many of those responsible choices. The sooner these initiatives are in place, the sooner the people of Ontario can benefit from them and the sooner we can move forward and discuss some of the other important issues put forward in the budget, such as public sector accountability.

Ms Di Cocco: On a point of order, Mr Speaker: I believe that we're speaking to the amendment to the time allocation motion, and I would like just to point out that I believe we have to get back on topic here.

The Deputy Speaker: That of course is a point of order, and I'm sure that the member for Oxford was coming to that.

Mr Hardeman: I really question the member opposite. I had spoken on the need for expediency for moving this bill through. I started my address speaking to the amendment and the motion that was before the House. I really find it difficult — obviously, the member opposite was not listening to the presentation. I gather from that that she is more interested in obstructing the goings-on in

the House than she is in the debate for the public and the need for the debate on this important motion and amendment that is before the House.

The people of Ontario have a right to know that they are getting value for the money they invest in health care and other services in this province.

Mr Bisson: On a point of order, Mr Speaker: He must speak to the amendment to the motion. He is on a speech. He doesn't have anything prepared and he's lost. Somebody give him another speech—

The Deputy Speaker: Order. The member for Oxford.

Mr Hardeman: Again, I'm somewhat taken aback here that the members opposite are not interested in hearing the debate but are interested in trying to stop the workings of this House. I think it all speaks to the problem with the amendment and the problem with the motion, that the opposition have no interest in moving this matter forward but have an interest in stopping things from happening. In fact, they're being obstructionist in the legislation.

The comments from the opposition keep pointing out that the government does not have enough public consultation, does not have enough debate in this House as it deals with its legislation. I suppose every time we put forward a motion—and today was another example. We put forward a motion to lengthen the time that we spend in this place in order to debate government and opposition legislation. It seems that every time we do that, the members opposite want to vote against it. They don't want to spend time in the Legislature to deal with government business. In fact, they just want to stop government business from happening.

I believe that every time—

Mr Bisson: On a point of order, Mr Speaker: Not only is he not speaking to the amendment, but he doesn't have a quorum in the House.

The Deputy Speaker: Is there a quorum present?

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Deputy Speaker: Thank you. The member for Oxford.

Mr Hardeman: Again, it becomes obvious that the interest across the aisle is not in the interests of the people of Ontario, but in fact to see how they can keep the function of this House running in an orderly fashion.

As the amendment we're referring to was put forward by the opposition, I think it's interesting that when Bill 118—which is the Child and Family Services Amendment Act, 2000—was debated in this Legislature, the Leader of the Opposition demanded public hearings on that bill. The government agreed to hold public hearings, but when the time came for the hearings in Sault Ste Marie, did the Liberals have the courtesy to show up? No, they didn't bother. I guess that was too far from home. They didn't want to spend their time and effort, after they had demanded the hearings, to go to the

public hearings and give the public the courtesy of listening to them.

Mr Rosario Marchese (Trinity-Spadina): They have a member from Sudbury, don't they?

Mr Hardeman: The member opposite mentions that they have a member in that area. I thought they did too, but it became quite obvious that that member thought there were more important things to do that day than go to the public hearings in Sault Ste Marie. I think that's somewhat of a slight for the people of that area who had taken their time to prepare and to come and speak to the committee after all the efforts of the government to take the committee hearings there.

There are also implications in the amendment put forward that the government uses time allocations too often. I would point out that, with our standing order, we have used time allocation motions 63 times. In that same time, the Liberal government in Ottawa has used that same initiative 70 times, so I don't know why it is that they believe that federally time allocation motions and non-committee hearings are the appropriate thing.

In fact, I found it interesting, as I was reading the paper today, that we have a motion coming before the federal House. I'm not sure if it arrived today, but it has something to do with increasing the pay for the federal members.

Mr Marchese: Behold.

Mr Hardeman: Hey, behold, and my understanding is that it is going to be passed before the end of the week. Not a lot of public hearings on that one.

During the 36th Parliament of Ontario, we sat for 443 sessional days. Now, as the commitment of the parties opposite, the NDP sat 385 days in their last session, while the Liberals sat 297 days in the sitting of their whole parliament—total sitting days. I find it hard to understand, with the amendment, the suggestion that this government has not been taking the passing of legislation seriously and taking it out to the people to be sure that we have the public input.

In the 36th Parliament we sat 2,353 hours and 55 minutes. The NDP government, in their term of office, sat 2,209 hours and 22 minutes. They sat the full five years but sat a hundred hours less than the government did in the last four years. So I find it very difficult that any member opposite would suggest that we are not taking this seriously and making sure that each and every bill gets appropriate debate and gets appropriate public hearings.

Not to make light of what the New Democratic Party did, the Liberals in their term of office sat 1,484 hours, almost a thousand hours less.

Mr Marchese: Did they get paid for that?

Mr Hardeman: I'm not sure. Of course, I wasn't here at that time. The member opposite wonders whether they got paid. I presume that their hand shook a little as they took the cheque, but I'm sure they took the cheque.

1620

To suggest that we don't take it seriously that we take our bills to committee, as was suggested, that we go out to the public, since we have been in government—

Interjection.

The Deputy Speaker: Order. I'm sorry. I apologize to the member for Oxford. The member for Trinity-Spadina is not in his seat, and while heckling is always out of order, it is very much out of order if you're not in your seat. I apologize to the member for Oxford.

Mr Hardeman: Thank you again, Mr Speaker.

As we talk about having public involvement and having sufficient time in our debate, since we have been in government, our government has passed 173 bills since we came into office, and in fact 109 of those bills went out to committee.

In the first session of the 37th Parliament, 53% of the government bills had been sent to committee. In the 36th Parliament, 43% of all the bills coming before this House went out to committee for further discussion. When the NDP was the government, they sent 38% of government bills to committee, and the Liberals—I'd think they would all be listening to this—sent 19% of their government bills. Less than 20% of their bills even went to committee. Here they are suggesting that we're not doing enough public consultation and public debate on the bills, and obviously they didn't see a need to do that when they were doing it.

I find it very curious that they would put forward an amendment to the resolution, as they're doing today, to suggest that we should not pass the budget, not put all these things in place that are going to increase the prosperity for the province of Ontario and make our province work even better than it is today. The opposition amendment would tell us that we should spend at least all summer going out to public debate and public discussion and not let any of these initiatives take hold and help to improve the quality of life in the province of Ontario.

That's why I am opposed to and I will be voting against the amendment and for the motion, because I believe it's time that we move forward, that we implement the good news budget that the Minister of Finance has put forward and that we move forward with all the other things that are in that budget to further the cause and to better the quality of life in the province of Ontario.

With that, I will turn it over to the next speaker, but I want to say thank you for the time for allowing me to speak, and that I think it's the appropriate thing to move forward with this bill and get it passed so that all the good things in it will benefit the people of Ontario.

Mr Gerry Phillips (Scarborough-Agincourt): Speaking to the amendment proposed by Mr Duncan, my House leader, the essence of it is to allow for a substantial amount of public input into the education tax credit, the voucher system. The key proposal is that the Legislature separate the bill, take the tax credit out of the budget bill, allow the Legislature, over the summer, to visit at least 10 cities and give ample opportunity for input into the bill.

Why is that important? I believe that the educational tax credit, the voucher proposed by the Premier, will fundamentally change Ontario. One of the best evidences of that is the brief that the Harris government itself

presented to the United Nations just a few months ago, where the government—and I might add that it was the Attorney General's department, the Ministry of the Attorney General, that made this presentation to the United Nations dealing with whether or not the province of Ontario should extend funding to private schools and to private religious schools.

What the brief said, among other things—and I would urge the people of Ontario who are interested in this issue to make themselves aware of some of the conclusions that the government reached when it was just a few months ago arguing against funding. I'd like to read a paragraph from the United Nations brief because it captures, certainly for me, my major concern with this tax credit plan—and it says the Ontario government “submits that one of the strengths of a public system of education is that it provides a venue where people of all colours, races, national and ethnic origins, and religions interact and try to come to terms with one another's differences.” That's a statement that I support strongly.

The brief goes on to say: “In this way, the public schools build social cohesion, tolerance and understanding. Extending public school funding rights to private religious schools will undermine this ability and may result in a significant increase in the number and kind of private schools. This would have an adverse effect on the viability of the public school system which would become the system serving students not found admissible by any other system. Such potential fragmentation of the school system is an expensive and debilitating structure for society.”

This brief goes on to point out some of the additional concerns. And remember, this is Premier Harris's brief. This is not some third party; this is the government speaking on behalf of the people of Ontario. It goes on to say here, “if the province of Ontario were required to fund private religious schools, this would have a detrimental impact on the public schools and, hence the fostering of a tolerant, multicultural, non-discriminatory society in the province, thus undermining the fundamental rights and freedoms of others.”

Another part of the brief says that extending the funding would undermine Ontario's “very ability to create and promote a tolerant society that truly protects religious freedom.”

Another paragraph: “The objectives of the state party's—that is, Ontario's—“education system are the provision of a tuition-free, secular public education, universally accessible to all residents without discrimination and the establishment of a public education system which fosters and promotes the values of a pluralistic, democratic society, including social cohesion, religious tolerance and understanding. The state party”—Ontario—“argues that if it were required to fund private religious schools, this would have a detrimental impact on the public schools and hence the fostering of a tolerant, multicultural, non-discriminatory society in the province.”

That's powerful language, and it's language which I endorse. The area I represent is an area here in the city of

Toronto that is extremely diverse, and I'm very proud to represent that area. There's a secondary school in the area I represent with flags around the meeting hall from 81 different countries, and that represents the countries where those students were born—81 different countries.

The area I represent has changed dramatically in the last 15 years, with a maximum of goodwill and a minimum of challenges and problems. I credit very much our schools for helping make that a reality. It's been our schools where our young people—our elementary schools, our secondary schools—come together, get to know each other, get to understand each other's history, and religion, I might say.

So the reason I strongly support the motion of Mr Duncan—the member for Windsor West, I believe—is that it provides Ontario with an opportunity to get involved in this debate. This is early in this debate. I know the government would like the debate to be over. In three weeks, the government's motion would be the end of the debate on extending funding to private religious schools. That would be a fundamental mistake. The people of Ontario deserve an opportunity for input. That's not going to happen over the next two weeks under an extremely tight timetable with a gun to our heads.

Why is it significant and important? Read the language and the words and the arguments of the government itself, speaking on behalf of the Premier, presented by the Attorney General to the United Nations. It spelled out the fundamental challenges with this bill. So my colleague's proposal for hearings in 10 different communities is an opportunity for some legitimate input. I might add, there is no urgency on this. This does not come into effect until the tuition year 2002 for the tax year 2003. So there's absolutely no sense of urgency other than Premier Harris trying to force it through before Ontario has an opportunity to participate in the debate.

So I very strongly support the motion proposed by my colleague.

1630

The Deputy Speaker: Further debate?

Mr Marchese: I would like to move an amendment to the Liberal amendment and then speak to it once you have it in your hands.

It's an amendment to the amendment to government motion number 22:

That the third paragraph be struck, and the following inserted:

"That the committee shall be authorized to meet for 80 days throughout the summer in locations across the province, including northern and rural communities, as recommended by Howard Hampton and the Ontario NDP caucus in a letter to the Honourable Janet Ecker, government House leader, on May 17, 2001."

The Deputy Speaker: Mr Marchese has moved an amendment to the amendment to government motion number 22:

That the third paragraph be struck, and the following inserted:

"That the committee shall be authorized to meet for 80 days throughout the summer in locations across the province, including northern and rural communities, as recommended by Howard Hampton and the Ontario NDP caucus in a letter to the Honourable Janet Ecker, government House leader, on May 17, 2001."

Mr Marchese: This amendment speaks to what we called for on May 17. Why do we call for such hearings and extended hearings? Because we believe that extending funding to private schools is of such significance in terms of public policy and the direction this government is taking us in, a direction this government had never informed the public that they would do, requires that we have this lengthy discussion and debate, requires that the public has an opportunity to discuss fully this policy direction that is of great significance to Ontarians.

It is some surprise to hear some Tories: when other members of the opposition call this tax credit a voucher, they are almost offended by the term, by the reference to this tax credit as a voucher, literally offended, as if to suggest that calling it such—a tax credit voucher—is to misrepresent, really, the intent of this government. This government is very cute, as you would know.

Mr Tilson: That's right.

Mr Marchese: Very cute, but not so cute, David. Because all you had to do was simply say, "How do we get around the fact that we said we would never introduce a voucher system?" You knew that if you did, of course you would be whacked by the Ontario population, because you would be seen to be breaking your promise. So clever Tories decided, "What do we say? What do we call it? What do we do? We'll just call it a tax credit, and we could never be accused of breaking a promise, because it's not called a voucher; it's called a tax credit."

Aren't they clever, fellow Ontarians? Good citizens, aren't they really, really sharp? And isn't it beautiful, while M^{rs} Ecker stands up, and M. Harris, and all the other minions on the other side, saying, "Ha! This is not a voucher, it's a tax credit"—the stuff that Americans dream of. In fact, you people have done Americans one better because, you see, Americans have vouchers. You have given the Ontario population, yearning for public money for private schools, a tax credit, which is much better than a voucher. In fact, they get more money out of it than they would from a voucher system, because a tax credit for a family earning \$100,000 and sending two kids to private school will get back 11,000 bucks, which is more than the \$3,500 you purport to say they will receive. A tax credit means that when they do their income tax, if you earn 100,000 bucks with two kids in a private school, you get about \$11,000 back. Not bad for those whose interest is private education.

But we're opposed to that. So we're saying we want 80 days of hearings, similar to what happened in 1984-85 when the then government of the day said, "We're going to extend funding to Catholic schools." They lost the election, God bless. They never thought it would happen, but it did, and we had, mercifully, a change of direction after 43 years of Tory rule in this province. Good God,

we thought that tyranny would never end, but it did. But Davis lost the election, the Liberals got into power and the Tories said, "We will support this measure we introduced as long as we get 80 days of hearings." The Tories pressed the Liberals on that, and they got 80 days—a whole lot of days to debate. Why? Because the Tories then knew it was of such significance, and having lost the election, they thought, "Maybe it was because of this, so maybe we should have the hearings and see what the public has to say."

We demand nothing but consistency from this Conservative government. We pressed these Tories to get these hearings, and they had to submit to some kind of hearings because, you understand, they cannot sustain the attacks on the tyranny of this government that suggests that democracy was had in 1999 and they don't need to consult any more because they consulted in 1999. But that kind of tyranny lasts so long, and the public of Ontario, the good citizens, yearn for some democracy; I'm not sure they yearn for a whole lot, but many yearn for some little democracy, to have some say on policy changes that are radically different than what many in 1999 expected they would get from Harris.

I understand Ecker would have loved to have had no hearings on this bill. I know M. Flaherty would have loved not to have any hearings on this bill and to dismiss and dispense with hearings because, oh, good God, they're such a weight on the government in terms of being able to do its job in a hurry. Because they've got so much to do, they don't want to waste any time, they say.

In fact, Ernie Hardeman argued that we are being obstructionist with these motions. The member for Oxford said we were being obstructionist with these motions. Can you believe that? He is arguing that we are the ones slowing the government down from doing its good deeds, as if to suggest that the Ontario public out there is demanding public money for private schools; that we are obstructing this poor, hapless, if not helpless, government from doing its job. They suggest that we, the members of the opposition, outnumbered by the tyranny of the majority of the Tory government, are slowing them down. They've got so much good to give you, good citizens, that they can't afford to have the opposition parties demand more than what this government has offered by way of these 10 days—eight days of hearings, really.

1640

I know Ecker, Flaherty and Harris, ministers all, don't want any hearings, because, you see, good citizens, I know they're going to get beaten up. I also know that they are going to try to get all of their buddies, the most special of special interest groups out there, the ones with the big bucks, the ones who are getting their corporate tax breaks amounting to \$4.2 billion—those are the ones who will show up at the committee hearings on Bill 45, because, you see, it's a finance bill. It won't be just education that we'll be talking about; we will be talking about Bill 45, a finance bill that includes in its—

Interjection.

Mr Marchese: It's more than just the one I was about to suggest, the \$4.2 billion in tax breaks. It will have a whole array of issues. They're going to try to have those committees in St Catharines, London, Sudbury and Ottawa filled with their friends.

Who are those special friends, those so-special interest groups? The corporate sector, the ones who are so avaricious, the ones who can never get enough from this government. They've been asking for tax breaks ever since they got into government, and they've been getting more and more and more, leaving you good citizens as the only ones holding the bag. You good citizens and taxpayers are the only ones holding the bag, so that when we've got to pay for education and health care, you are the ones who are going to be screaming bloody murder. You're the ones who are going to be saying, "How come we have to pay more and more?"

Well, it's because the corporate tax cut amounting to \$4 billion means that if that money goes to them, we have to take out from some other source to balance it out. You see, we're not getting \$12 billion of income every year into the provincial kitty. We don't get enough of the money to supplement or to make up for the money that's going out for individual tax cuts and corporate tax cuts. So you understand, good citizens who are Liberals out there, who are Tories out there, that what this government wants is to limit the debate, for good reasons, because they are afraid. They are terribly afraid, but they have to take a chance on having four days here in Toronto and four days out of Toronto. They had to say, "We have to give these people some hearings so that we will not be accused of not wanting any hearings at all."

So they've given us a few little scraps. "Here you go, opposition members. Here's a little scrap for you. I hope you feel good and I hope you feel happy with the kind of scraps that we have given you. Please stop whining, because we've got so much work to do in this place. We've got so many other things to do. But to pacify the opposition, those pesty opposition members, we'll give them a couple of bones and hopefully they'll be fine," eh, John? The member from Etobicoke North, what do you think? But you see, a couple of scraps, member from Etobicoke North—through you, Mr Speaker—are not going to satisfy us.

But I'm not just talking about opposition; I'm talking about satisfying the Ontario public out there, because you as a government have to account for your vacillating positions—not to talk about the Liberal Party, but for your own vacillations at the moment. The New Democrats were the ones who first alerted you good citizens of the fact that M^{me} Ecker, months and months ago, said, "We cannot take \$300 million from the public kitty, because it would be diverted from our public system to the private schools." That's what Ecker said. You have to account for that.

Ecker and Harris, ministers both, you both said it. You see, you can't run away from what you said, because it's not what I said; it's what you said, Ecker; it's what you said, Premier Harris. Then all of a sudden you change

your tune and you sing a different song. I don't know how you do it. I don't know how political parties do it, and do it without compunction, do it without flinching, do it with a straight face.

I know the Liberals have a problem with this too, and I know the Tories have been dealing with this problem, because every time the Liberals say, "You said, Ecker, that you don't have any money to take from the public system to give to the private schools"—and the reason why Ecker has not been attacking the Liberals as much is because the Liberals, as you know, say no to the tax credit but yes to fairness on the issue of religious schools. They both, Liberals and Tories, have a problem with respect to consistency on this matter. So the Tories have been cautious in attacking the Liberals because they don't want to say to the Liberals, "Yes, but you had a position like this six months to two years ago," because then the Liberals would say, "Yes, but you had this position too, and now you've changed your mind." So they have to dissemble in the best way possible, you understand, good citizens, and they, with great circumlocution, get around the issue by talking about "blah, blah" this and "blah, blah" that. But you understand.

Mr Dave Levac (Brant): But Rosario, we want hearings.

Mr Marchese: On the hearings, both the Liberals and New Democrats agree. The brilliance of the Liberals calling for these hearings is they know the Tories will not have more than what they have given us. So you guys look good. Good citizens, the Liberals look good, because they can say, "We want hearings," knowing fully well that Ecker and Harris don't want the hearings. So you can take the high ground and say, "Hah. We demand hearings." "At least 10 days," was their amendment. Now they can proudly say, "We want as much as the New Democrats wanted." If the New Democrats want 80, the Liberals want 80; if the New Democrats want 100, the Liberals will want 100. Do you understand?

If only Ecker would say, "We're going to give you 80," then we would expose the Liberals and the Tories for their inconsistencies. But Ecker is not going to give in. She will not submit to this, because they have more to fear by taking this out—as do the Liberals, but they more than the Liberals. Thus, good citizens, we are stuck with a mere eight days of hearings, four in Toronto and four across this great, big province of ours that is bigger by three times than Italy. It is three times the size of Italy. Could you believe that?

Mr Levac: Mezzo-mezzo.

Mr Marchese: No, more than that; more than mezzo-mezzo. It's three times. And you understand, getting around this province is not easy. Needing people to express themselves across Ontario isn't easy. So, quite comfortable, the government originally would have been very happy to have given us a couple of hours in Toronto. Harris would have been happy with that, although he doesn't like Toronto very much. But when he wants only hearings in Toronto, he loves Toronto a great deal so as to avoid the debate that I have seen in the

cities I have been at. I've been in London, I've been in Guelph and I've been in Timmins, and I tell you, people are not happy. They are not happy with this initiative, because they are all for a public system. If you saw the people in Timmins speak with tremendous passion about the concern they have on issues of special education and the children of theirs who are seeking the support that is desperately needed by them from this government—if you could just hear them, you would know the kinds of problems that we are having in the public system, the tragic stories of people who have special education needs who are not getting their needs met because this government has taken \$2.3 billion out of the education system.

It's remarkable that Ecker could stand up here every day saying, "We've put more." She just announced \$300 million a couple of weeks ago and almost suggests that this is money that would not have been forthcoming had it not been for the generosity of this government. But you understand, this money is part of the regular flow from the provincial government to boards of education. It is part of the regular flow. It doesn't even address issues of inflation, let alone deal with the energy problems that everybody has been suffering. The Toronto board, and I've raised this before, has \$17 million of energy requirements, and this government, I believe, has give them \$6 million, more or less. And then they say, "Oh, we've given them so much."

1650

Mr John Hastings (Etobicoke North): Use wind power, including yours.

Mr Marchese: Give Toronto wind power, the member from Etobicoke North says. God bless, Irene Atkinson and Toronto board, he wants to give you wind power. That's good, very good; very noble.

Mr Levac: A lot of hot air.

Mr Marchese: A lot of hot air, a lot of hot wind, a lot of wind that comes from there: "Here you go, Irene Atkinson. Here's a little bone; we're going to give you some wind. That should do it, that should cover the energy costs"—\$17 million in energy costs for the Toronto board alone, and this government gives them \$6 million and they say, "Oh, the millions and millions we're giving to these boards, why are they whining?" You understand why so many people are so unhappy. They have taken \$2.3 billion out of the system. Transportation needs have gone down, plummeted; busing dollars, busing supports, plummeted; specialty teachers, librarians, music teachers, physical ed, tech, the home—

Mr Levac: Technical studies.

Mr Marchese: Technical studies as well. But all of these specialty courses have gone down in terms of our ability as boards to be able to hire these specialty teachers. Why? Because there's no money. Secretaries, down; fewer principals than ever before; fewer books than ever before, in spite of a new curriculum; pupil-teacher ratios, up. Fewer teachers than ever before, and this government, with a smile, stands up and says, "We have given boards more money than ever before. We've

given them \$2 billion more." Man, it's worse than alchemy, you understand, 17th century kind of stuff. You just can't invent, out of metal, and create gold. You can't do that.

But these Tories, boy oh boy, are they so good. Minister Ecker, you are so good. Harris and company, you are so good, you must be getting lessons from the US. You people must have sent a whole lot of trainees to the US for your campaigns, because you're doing well.

The public demands 80 days, the public supports one public system, they're opposed to public dollars for private schools.

The Deputy Speaker: Further debate.

Mrs Tina R. Molinari (Thornhill): I'm pleased to enter the debate this evening on the amendments put forth. There is the amendment from the Liberals and then the amendment to the amendment from the New Democratic Party.

The first amendment calls for—

Mr Marchese: Put in your own.

Mrs Molinari: I would not support any of these amendments; I would support the bill as it stands. It's important that that be clear to all of the members in the Legislature.

The first amendment calls for 370 hours of public hearings. That's the amendment from the Liberal government. In the 1980s they spent a grand total of 349 hours in committee the entire time they were in government. Where is the disparity here? The amendment calls for the committee to travel to Sudbury, London, Toronto and St Catharines. Well, the original motion outlines that the committee will travel to all of these cities.

The amendment to the amendment calls for 80 days and that we travel to rural areas. Well, in Sudbury, London and St Catharines there are rural areas around these cities, and in Ottawa. The amendment calls for the committee to travel all summer long, at least 10 cities. The motion before the House today allots six days of public hearings in five different cities in Ontario. It calls for 20 minutes, times the number of members who have not spoken at second reading, to be divided equally among all recognized parties.

The fact is that it is not in keeping with the democratic principles of public debate. This would only prove to delay the process and progress of this bill and any other bills before this House. Certainly that is the intent of the opposition in all of the bills, and I understand that, because that is the role they play in this House: to oppose, to amend, to obstruct, and all of those negative things, to prevent the government from actually moving forward on some very, very important bills, such as this one.

Over the last week, I have learned a lot about the leader of Her Majesty's opposition. I have learned that he is prone to exaggeration. I have learned that he attempts to mislead Ontario's working families, the same families—

Interjection.

The Deputy Speaker: The member will withdraw the objectionable word.

Mrs Molinari: All right, I take that back, Mr Speaker.

Let me reword it then: I have learned that he attempts to confuse Ontario's working families, and these are the families he purports to defend. I have been reminded that he just doesn't get it.

Reading newspapers on a number of issues that have come forward, I learned that the most dangerous place in southern Ontario is standing between Dalton McGuinty and an open microphone. I want to quote the Canadian Jewish News, December 18—this goes back to 1998. The heading is, "McGuinty Expresses Support for School Funding." It says: "Opposition leader Dalton McGuinty told Ontario's Jewish leadership that he has no ideological opposition to ensuring public funds support Jewish day schools. It is believed that this is the first time any provincial party leader has made such a declaration." So he was applauded by the Canadian Jewish Congress for his view back in 1998 on this issue.

Despite the grand rhetoric, the tax credit initiative introduced in this latest budget actually is the right thing to do. It's the fair thing to do. I look forward to hearing all the members opposite explain to me why the Ontario government should fund secular French and Catholic schools, yet not, for example, Jewish schools, Hindu schools or Muslim schools. My constituents of Thornhill have demanded that this government take action in providing funding to be fair to all of the independent schools and to provide choice for parents, so that they have the ability to send their children where they want them to go.

I want to talk a little bit about my round-table sessions. I've mentioned in this House a number of times that I listen to the constituents of Thornhill. I have hosted round-table sessions. The first one was on education funding for independent schools. That was the first of five sessions. There were two questions that were posed to the people present. One was, "If the province provided equal funding for independent schools, what form should the funding take?" There was a lot of discussion on this issue. Question number 2 was, "If the province were to offer partial funding to independent schools, what form should partial funding take?" This was generated, if the members opposite are asking, by calls that came into my office by constituents who demanded we take action, so the action I took was to host a round-table discussion on the issue that meant something to them, an issue that was pertinent to the people of Thornhill. We asked the two questions and asked them to come up with some possible solutions, because when you have an issue, you go to your constituents, you consult, you work together with some possible solutions.

I'm pleased to say that from these consultations the one area that was supported by all in attendance was tax relief. A refund on provincial tax credits was a direct result of this consultation process. So certainly the constituents of Thornhill are pleased that, after going through the consultation process, this government listened—listened to not only Thornhill constituents but all the constituents in the province, because I know that my

colleagues engage in public consultation sessions with their constituents. They listen to what they're saying, and they bring it forward to all of our caucus sessions.

I want to also comment on—because it's important that I enter the debate—some of the comments that came from members of Thornhill. There have been several letters written to our local papers, one letter written by Charles Wagner, who is a resident of Thornhill. He says:

"Many parents sending their children to private schools are not wealthy. They are hard-working people who turn to private schools because their needs are not served by the public school system.

"In many of these schools, parents sacrifice virtually every disposable dollar toward their children's education. They are hit twice because they pay their taxes to the public education system and sometimes pay more than \$10,000 in tuition per child."

These are families that have three, four and five children. Paying that kind of tuition for every single child is quite a burden for the constituents of Thornhill.

1700

Our local paper is a fair paper; it's called the Thornhill Liberal. It's a paper that is very open and is non-partisan, but I do want to point out the editorial on May 24, by David Teetzel. He says:

"The worst misconception being spread by opponents of the tax credit scheme is that it's funnelling money into the hands of 'the wealthy'.... But the people I know who send their children to religious or private schools don't conform to that stereotype.

"Rather, they are people who are willing to make sacrifices in their lifestyle to give their children the kind of education they believe in. In some cases, they want their children to learn their religious heritage in school. In other cases, they believe elements of the public school program are hostile to their beliefs.

"One woman I know, who would fall into the lower-to middle-income bracket, was so offended by the policies and attitudes of her local public school that she not only pays a hefty tuition, she also drives her child an hour to school and an hour back.

"These people would continue to make these sacrifices without the tax credit. But I'm glad to see them get a little something back from the education taxes they pay to a system they don't use."

This was, as I said, an editorial from our local paper.

Now, it's been mentioned before that there are members in the Liberal caucus who would support the tax credit in this tax bill, and I know there's some discrepancy there and some discussion in that caucus.

I'd like to conclude by saying that certainly this is something that the Thornhill residents applaud the government for doing. It's about time, and they're very pleased that we're going to keep going forward to it.

Mr Bruce Crozier (Essex): I'm pleased to spend a few minutes this afternoon debating the two amendments, particularly the main motion, and the main motion, of course, is to strangle debate in this Legislature and to minimize public hearings in the province.

I ask one basic question of the government: why are you afraid to consult the people of Ontario? We'll make it two questions: why are you afraid to spend a sufficient amount of time with the people of the province? If the government is right, as they say they are, if they have this budget bill and those parts of it—that we don't like—perfect, then they shouldn't be afraid to go out to the public.

Mr Michael Gravelle (Thunder Bay-Superior North): You should welcome it.

Mr Crozier: You should welcome it, as my friend from Thunder Bay has suggested. You should welcome the opportunity to go out and talk with the people of Ontario about this budget bill and specifically about the tax credit that seems to be one of the contentious issues in the bill.

The member for Thornhill suggests that we exaggerate. Well, the member for Thornhill—who by the way was a former chair, I believe, of a separate school board and who should understand this better than many of us should—has said that we exaggerate and that what we're doing is holding this issue up. We're not holding it up at all. We have two years to debate this, because it's not scheduled to start until the year 2002, and my understanding is that it would then be the spring of 2003 when the first tax returns are filed. Let's even speculate that the debate wasn't finished then; you can always make it retroactive. So there is no attempt to hold up any kind of legislation in the amendments we have proposed and the third party has proposed.

What we really want is meaningful hearings on this bill. This is a significant change in the philosophy of the government. Just two years ago, the Premier said there was absolutely no way he would support funding of independent schools; today, at least he and the finance minister say they will. That's a fundamental change, and I think it deserves a significant amount of public debate so that we can hear everyone on the issue. Even then, we probably won't get the opportunity to hear as many people as we can in this province.

Then, of course, what they want to do is come back to the Legislature, minimize the amount of time spent on amendments—and we all know what happens then. They run out of time in committee, they deal with all the amendments almost at once but without any debate, all the opposition amendments are defeated and all the government ones are carried. In fact, there shouldn't be any government amendments if this bill is as perfect as you say it is. So again they want to minimize the amount of time that's spent in committee on clause-by-clause.

Then they want to come back to the Legislature and limit third reading debate to two hours. Well, you can't even debate eight days of hearings in two hours in this place. If we, as we suggest, have longer hearings, it certainly would take longer than two hours to debate what we hear from the public.

I suspect that by limiting the amount of time that will be spent on clause-by-clause and by limiting the amount of time on third reading debate, what the government is

really saying is, "We don't care what the public says, in eight days or 80 days. We're simply not going to listen to them." I think that's why they're trying to choke off this debate today.

Mr Doug Galt (Northumberland): I was rather entertained by the two amendments: the amendment to the amendment and also the amendment from the Liberals.

First the NDP, in the amendment to the amendment, comes out with 80 days throughout the summer in locations across the province, including northern and rural communities. I can empathize with the northern and rural communities, but when they talk about 80 days, what's the credibility? Why 80 days? Why wasn't it 70 or 100? Did they happen to get that from the movie *Around the World in Eighty Days*? Was that where they picked it up? I can't imagine 80 days. I look at the number of hours spent in hearings during their five years, and it was 645 hours. Eight times 80 is 640. That's just about all of the hearings the NDP had in their government, in the first five years of the 1990s.

I don't think they really want to have this passed. I think they're just putting up some smokescreens, making a big number to ensure that it won't be passed.

Then I look at the amendment, 370 hours, as the Liberals have to say. Then I look at the number of hours spent by the Liberal government in the late 1980s. How many hours did they spend? In total, 345; 25 hours less than the number of hours they're asking for hearings on one bill. They're not real either. They don't want this to pass, obviously. It's a very silly position that they're putting forward, and they really don't want to have it passed.

Let's have a bit of a look at some of these amendments coming forth. First, the NDP and what went on in their government. Do they remember the social contract? I'm sure they remember the social contract very well. It struck down absolutely every collective agreement made by any public service in the province of Ontario back in 1993. How many hours of public hearings did they have at that time? Not one single second—not one—and they're asking for 80 days on one that we're prepared to go out for 10 days on. I think that's pretty realistic.

1710

I wonder if they can remember the bill that was brought forward on Sunday shopping. Here are two bills, the social contract and also Sunday shopping. Was that in the Agenda for People, their platform? No. Neither of these issues was in their platform. Did we get any hearings on Sunday shopping? People in my area, especially small-town Ontario, were pretty concerned about that particular legislation.

Then I hear the member from the NDP bringing forth the amendment to the amendment, and he says, "What a brilliant move on the part of the PC Party to have a tax credit rather than a voucher system." But I can understand why an NDP or a Liberal would want to collect the money and then give it out in a voucher—make it as complicated as you can so there are a lot of dollars spent

on the collection and distribution and increase the inefficiency. But our government looks at efficiency, and what could be more simple than just simply a tax credit? It's never collected, it's never given out, it's just giving some more tax relief. I think it's time the members in the opposition recognize that tax relief is something the people of Ontario are indeed looking for.

Then, I come to the Liberals. They're asking for 370 hours. They're asking for all these hearings and to travel the province. Wasn't it in Sault Ste Marie when they were pleading with the government to have hearings? Lo and behold, who didn't show up? Not a single member of the Liberal Party came to those hearings. Could I get assurance from each and every member of the Liberal Party that in fact if that number of hearings is held, they will show up for those hearings?

Mr Mario Sergio (York West): On a point of order, Mr Speaker: With all due respect to the member for Northumberland, we have two amendments on the floor, one from the member for Windsor West and another from the member for Trinity-Spadina, which is the 80-day amendment. I would appreciate it if the member for Northumberland speaks directly to that amendment.

The Deputy Speaker: I'm sure the member for Northumberland will be speaking directly to the amendment to the amendment.

Mr Galt: I thought I was dead on it with discussions about coming out and attending the hearings. I'm very concerned. It's embarrassing, even to the government, when the opposition doesn't show up.

But then we had a bill before this House not too long ago having to do with attendance, of course attendance of cabinet, coming from—what else would you expect from the opposition? When the vote was taken, 30% of the opposition was missing. So 30% of the official opposition were not here on an accountability bill having to do with attendance. They weren't here.

We've had a lot of debate in this Legislature—some three days on this particular bill in second reading; also the time allocation. You know, I didn't hear anything worth being said from the opposition. So what are we going to do on 80 days out there or 370 hours out there? I just don't follow it.

They go on and on about the time spent by our party on hearings. When I see that in our 36th Parliament we spent 798 hours and 14 minutes in hearings and the Liberals spent less than half of that—349 hours. It doesn't matter what part of Ontario, whether it was in the west, the Niagara Peninsula, in the central area, the east area or the north, it's all the same. We more than doubled the number of hearings the Liberals had in their government.

It doesn't matter if you look at the number of sessional days, for example. We had 431 sessional days in the 36th Parliament. How many did the Liberals have? They had 297 days. This is unreal.

We could go to the three years, if you wanted to balance one term with another. How long did the PCs have in the 36th Parliament? They had 361 days in three

years. How many did the Liberals have? They had 297 days.

So I rest my case. I think it's pretty obvious they're playing games, talking about 80 days for hearings in the amendment to the amendment, 370 hours in the amendment. They're not serious about this. They really don't want to see it go through. As a matter of fact, they want their summer off, and I can understand why they might. I think 10 days of hearings in the month of June will be more than generous, particularly if the opposition show up in those opposition benches for the hearings.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I rise to speak to the motion and the amendment standing in the name of my colleague Mr Duncan. I was interested to hear some of the debate this afternoon. I just want to make a couple of comments. I don't know how many of you listened to Rex Murphy's Cross Country Checkup yesterday afternoon. It had to do, actually, with members of the federal Parliament and what a proper level of remuneration is for those members, subject, that is—

Interjection.

Mr Conway: It was very interesting listening to that phone-in. I've heard several similar kinds of phone-ins on that program over the last number of years. I can say some things perhaps a little more easily and more critically of both the current—it's not even a question of governments, I suppose. The point I guess I want to make here is that the public out there—and it was very clear yesterday in listening to that phone-in—has figured us out. They know—

Interjection.

Mr Conway: John, you laugh. I guess I'm reminded of the old song, "I started the whole world laughing and now the joke is on me." The joke is increasingly on us. The public is increasingly aware that the old parliamentary paradigm is increasingly irrelevant, if not a nullity, and we'd better find a way in which to make ourselves, both in government and in the opposition—I accept the frustration of government members when they hear the caterwauling from the opposition that everything governments do is bad and everything the opposition would do is good, because I've been on both sides of the aisle. I hear the previous speaker talking about some bill that was debated in Sault Ste Marie and some members didn't show up. Maybe that is the case, but I want to say this: I think all fair-minded people would say that the initiative announced in the Ontario budget of May 9, 2001, with respect to providing provincial government tax credits to parents who wish to send their children to private schools was a significant and surprising development, and I say that without prejudice.

It's not a position that I have advocated. It's not a position that I support, though I understand that there are honourable members here who have a different view than mine and that's entirely their right. I want to say that it is important to understand that when governments and Legislatures announce significant departures from policies that were put before the general electorate that brought us here, we have an even greater obligation to go

out and give the public an opportunity to speak to that policy and that change.

Whither the public schools, I have to tell my friend from Northumberland, is quite frankly a more important question to put and to answer than a number of other issues that we might debate here on a Tuesday afternoon or on a Thursday morning. It is hard for me to imagine, as a member of this Legislature and as a former Minister of Education, that there is going to be a subject more likely to engage the public interest than changes we might make to public schooling.

Mr Frank Mazzilli (London-Fanshawe): How about no-fault insurance?

Mr Conway: Certainly, no-fault insurance is an issue again that is very important. I would argue that important as it was, it is not as important as the future of our public schools.

Listen, I have been through eight electoral campaigns. I understand the pressures that all of us face and I certainly have my sins of omission and commission for which atonement is due.

Let me just say to my friends opposite, the Ottawa Citizen the other day had a story under the headline, "Province Answers Prayers of Calvary Christian Academy." It's an interesting story about a Christian school in rural Lanark county down near Franktown along the Highway 15 corridor between Smiths Falls and Carleton Place. Let me just read one paragraph from this story. It is May 17, 2001, in the Ottawa Citizen:

"To Calvary Christian, the timing"—the budgetary announcement—"was miraculous. Four years ago, the school"—Calvary Christian—"began with six kindergarten students in a church basement. Enrolment this year is 51, with 91 students registered for September, kindergarten to grade 5." So in a period of what, four to five years, we've seen in that part of rural Lanark a new school created, by good people, no doubt, that went from zero enrolment to 91. I can tell you, that development is not only going to be significant for Calvary Christian; that activity is going to have a significant effect on the schools operated by the Lanark board of education.

1720

I'm not here this afternoon to debate all of the issues that will arise from this particular initiative. But let it be clearly understood that this is an initiative that is going to have significant program, capital and financial implications, not just for the tens of thousands of students of parents who will receive the education tax credit; make no mistake about it, it will have very significant implications for the public school boards in those areas.

So what I would simply say, on the basis of my experience, is that we owe it to people in Franktown, Lanark county, in Woodstock, in Renfrew, across Metropolitan Toronto, to give these people—taxpayers, parents, students, teachers, business and labour leaders and others in the community—a full and fair opportunity to address a significant change that the government has announced in the spring budget that, as I said earlier, any fair-minded person would have to say is a surprising departure from that which was announced by the leader

of the Conservative government—or Conservative Party—heading into the last electoral campaign 24 months ago.

I want to say again today what I said the other night: it is clearly the opportunity of individual members and members in collectives known as political parties to make or to change positions. Some good fun was had here today about some changes that apparently have occurred on both sides of the aisle over time.

I had the opportunity, 15 years ago, to implement a policy that was dramatically changed by one of the most significant people who was ever here in the last 130 years, William Grenville Davis, probably one of the most significant ministers of education in the post-Confederation history of the province. I think it was on August 31, 1971, Bill Davis made a very powerful declaratory statement about funding to the extended separate school system. And 13 years later, without any notice and no public consultation, he reversed himself absolutely. It was a very trying, difficult time, not the least of the trying difficulty attaching to myself. I won't involve my friend from Manotick, the now Minister of Consumer and Commercial Relations. We all had some stress and some difficulty through that period.

I don't know about others, but I learned something from that experience, and the experience around the Meech Lake accord and the Charlottetown accord, and some of the other major policies that were at issue in the 1980s and 1990s. In conclusion, what did I learn? I learned that our democracy has matured. The old days of what we used to call in political science classes "the politics of elite accommodation," where the brass got together—the business, the labour, the political and professional leadership—and they decided what would be good for the general public, and then handed it down from on high to an accepting and quite remarkably deferential general electorate—those days seem to have washed away in the 1980s and 1990s. As our friend from Kitchener says, "Thank God they did." I think there are a lot of people in my county particularly who would agree with him.

So I ask this Legislature, who do we think we are? After all of that pain, after all of that controversy, provincially and nationally, do we think in 2001 that we can stand up without notice and without consultation and say to the general electorate on something as important as the future of our public schools, "We are going to reverse ourselves absolutely, and make a change that, if not today, certainly tomorrow, could have enormous implications, some of those implications very negative and deleterious on the public school system, without so much as a meaningful consultation with you, the people"?

I can't believe that honourable members elected in 1995 and 1999 really think that we can or should do that. It's because I like to think that, painfully, slowly perhaps, I learned some of those lessons of a decade ago that I want to support my friend Mr Duncan in his amendment here this afternoon.

Mr John O'Toole (Durham): In the few minutes remaining I am interested in first recognizing that the

government has responded in this debate by having 10 days of public hearings. I am a member of that committee and certainly look forward to the input.

The NDP amendment, as has been mentioned, calls for 80 days—it's Around the World in Eighty Days. We've all heard that song or read the book; I guess it's Jules Verne or one of those.

The Liberal amendment is obviously kind of divided as it puts its argument forward here. I have the greatest respect for the member for Renfrew-Nipissing-Pembroke, because he was, I think, Minister of Education at the time all this was playing itself out. In fact, I was a school trustee at the time and felt quite honoured the first day I came here to meet him, and I still to this day have some good respect for him. So he's probably more informed than most of us on this important debate.

This morning, going through my newspaper clippings, there was an appropriate article in the Post, which was by one of their writers, Moira MacDonald. She points out the struggle in Toronto. Toronto is a very important part of the province of Ontario. A lot of the students in the province are right here. What stresses me is that this education tax credit came about because of, I think, the demand on the government by families to provide some choice mechanisms. Just to see how inequitable the education system is, in all respect, if you look back on this, we all know that when they did the Royal Commission on Learning and the Fair Tax Commission, they called on the province to fund education to solve this inequity in the people in Durham spending \$4,000 per student and people in other places in the province spending \$8,000 to \$9,000 per student. And this is the public education system; this isn't some sort of—

So people for a decade or more have been struggling with the issue of equity in education, and an alternative that has been invented and become very popular is the independent schools. These are independent schools, and I should say that I have five of them in my riding. I want to put it clearly on the record today, if I could just find my list here, possibly I will mention the people in my riding who are and have been, at great pains to themselves, supporting independent schools. These are, I can attest here today, hard-working people.

The independent schools in the riding are Knox Christian School with Principal George Petrusma, Knox Christian High School with Fred Spoelstra, Scugog Christian School with Tony DeKoker, and Immanuel Christian School with Stan Baker. Many of the students of these schools have indeed been pages here; I think about four or five of them from these individual schools. They're very accountable. I've been to their board meetings. They're all volunteer boards made up primarily of parents, but certainly school supporters, because the community broadly supports these schools in fundraising through their church and through other initiatives within the community.

So out of respect for a few hundred students who attend these schools and those parents, I think this government has listened. It's clear the opposition won't tell you the truth anyway.

Interjection: What's that?

Mr O'Toole: I withdraw that. I meant to say they won't give you a clear answer. Perhaps that's more accurate anyway. They will give you a couple of different answers. It depends on whom they're speaking with.

1730

But this government is prepared to take the difficult choices, and it is difficult. My wife—I've said this 1,000 times—is a teacher, and my middle daughter's a high school teacher in the public education system. There's no question these are difficult choices, but what it comes down to is parent choice. The one-system-fits-all kind of status where we are today is no longer acceptable.

I'm going to put on the record some of the differences. The Toronto District School Board has just under three times the number of students their Catholic counterpart in Toronto has: 270,000 compared to 102,000. Yet the public board spends more than four times what the Catholic board does on administration—\$83 million compared to \$19 million—and they're looking to make cuts, if you read the paper last week, where? In the classroom, not where we need to make them. While the public board has 73 administrative staff earning more than \$100,000 last year, the Catholic board has 13.

There's clearly more to be done. It's about accountability. They're afraid of it; there's no question they're afraid of it. Teacher consultants, an explicit target cut by the provincial Tories, are funded at a higher rate at the public board than at the Catholic board. Some \$25 million was spent on them this year at the Toronto district, compared to \$6 million at the Toronto Catholic.

What's this about? Why don't we really get down to it and fund the classroom? If there are 20 to 25 students times \$6,000 per student, certainly to pay the staff, to pay the school, to pay the resources, there's enough money in the system; it's how well it's being spent.

I really do believe, whether it's the amendment or the non-amendment, the government is having 10 days of hearings, and in that I believe we're providing student choice. I think that Bill 45, which we are discussing in the broader sense, was a bold initiative. But at the end of the day, it's still up to parents. First of all, they have to spend the money, they have to choose for their children, and at the end of the day they would get an education tax credit. This year it's 10% of the amount; next year it's 20%; after five years it would be 50% of the amount—that's really six years from when we're speaking—up to a maximum of \$3,500 of tax credit.

I really believe that parent choice is very important. Teachers cannot do it by themselves. They have to have the support from the home, and this focuses the debate back on the importance of education. I, for one, think it's an important debate.

With that, I'm willing to share the rest of my time with the member from London West, who is anxiously waiting to get his constituents recognized for the hard work they have done to make this government respond to an important initiative.

Mr Gerard Kennedy (Parkdale-High Park): I am pleased to be able to rise but saddened to have to do so

on this debate from this least courageous government that we've seen in modern times in Ontario, a government unable to stand behind what it really believes in, only able to put forward simplistic solutions and then run like heck for the exit. That's what we have here today: a government unable to come to terms with its fulsome responsibility.

As my colleague said earlier, there has been a change, and this government seems not to have understood it. They and their elites want to be able to make these kinds of decisions, want to do it with two pages in a finance bill, not even having the gumption to concede that this has something to do with education. We congratulate some of the members opposite. They've dropped the fiction they hid behind last week. We heard some of them mumbling on about some of the things in the finance bill, patently not willing to address what the members of their constituencies want them to address, what their individual electors say to them: "Take care of business. Give us a chance to be heard on this."

We have the amendment in front of us. It says eight days to be heard. It says, in fact, something similar to what we've proposed, 370 hours, in the earlier amendment. It's something I guess we can only conclude the government of the day is afraid of. If they weren't afraid, if they had the courage of their convictions, they would be rising today in favour of the amendments. They would be there as individual legislators, saying, "I'm not afraid of what I'm going to find in my constituency. I'm not worried about this policy. I'm not afraid to say that this is the reason it's going to affect public education, and I'm in favour of it."

That's not what we see from the members opposite. Instead, we see from the members opposite. Instead, we see an inability to focus on the matters at hand, an inability to say clearly and honestly to their constituents, "Yes we will take responsibility for the damages we do to public education." Those members opposite, had they conceded to us the time—and they still may yet vote for these amendments—if they did do that, I think they would find that this is time well spent in the public interest, time not hiding behind, as some of the members opposite have tried to say, "This is somebody's issue of conscience somewhere." What time would do is expose the fact that this bill does not actually address people in religious schools, it addresses people in private secular schools to a factor of five, because there are existing tax credits for people in religious schools. So instead, the government is bringing in a new innovation, something new and only applicable to private secular schools.

Had they wished otherwise, the time we want with this amendment, the time we want with the hearing being extended to show respect to the people of Ontario, would allow that to be found out, would allow it to be discovered. Why would the members opposite be afraid of that? If they have their own facts to table, if they have their own analysis, then surely they believe that should be part of the public record. Surely they wouldn't run scurrying and hiding into their summer vacation, having

pushed this through. Surely that wouldn't be the attitude and the approach of the honourable members opposite.

So I have to believe that something else is at work here, that some other powerful force is holding the members opposite from their true duty as members of independent good standing in this House, because we've yet to hear from them on that score. We've yet to hear them say that they are unafraid to come to public debates. We asked the members two and three weeks ago, "Go to your public schools, please. Be part of a program that is non-partisan. They're your schools; it's your constituency. They expect you, if you're going to pass measures about public education, to be there and talk to them about this bill." I can't imagine—

Interjections.

Mr Kennedy: Members are asking if they did it. No, very few did. We respect very much the member for Guelph-Wellington, he did go back to schools and so did four or five members opposite, but the majority of the government caucus has shown a reluctance and some have even said that they'd be afraid to go into schools.

When we look at these kinds of initiatives, we have to wonder, what kind of path have we come to? If there's any reason that a member elected to this House could not go, hold a forum in a public school, explain this to the members of those school communities, take the questions and provide the information, what path have we come to? I think the member from Renfrew has actually probably put his finger on it. We've come to a place where individual members on the government side no longer feel they can do that for their constituents. I think it is a sad day.

The 80 days of hearings, or the 370 hours, would address that. It would allow the members opposite to cleanly and clearly state the case they may have for this kind of initiative, and they know, because if you look at the language they're using, it's borrowed. Where is it borrowed from? It's borrowed from the state of Michigan. In the state of Michigan the proponents of vouchers and tax credits held a referendum. They at least had the guts, that much fortitude to say, "We don't deduct away from democracy here. We will stand accountable and measurable and in front of the voters for this initiative."

Instead, we have a government here that has had to be dragged kicking and screaming all the way to even some small concessions that might have something to do to education—and maybe there should be hearings, maybe the public should actually be given an opportunity to both understand and give their opinion.

I think we see some of the root rot for this government in the bill and the amendment in front of us when this kind of amendment has to be brought forward, when the government of the day with a majority in the House cannot concede to the public. It's not for our benefit; it's for the public that brought them here. What my colleague from Windsor, our House leader, has proposed is an eminently reasonable version, as is the version put forward by the NDP for 80 days or for the equivalent, 370 hours, to be there and pursued by this House.

I can't imagine what would grab hold of a member opposite to make them worry about that, to make them be concerned that more of their constituents might want to come forward, because as the member for Scarborough-Agincourt has already said in this House, there is nothing in this measure that requires it to be rushed. It is only the fear and consternation and, I guess, apprehension of the government members that keeps this out of extended hearings, because extended hearings obviously bear no threat to the initiative. If the initiative itself has merit, then it can stand up to the light of day. It doesn't need to be thrown in as an afterthought of the finance committee and the Minister of Finance now having an overall view on the undertaking of education in this province.

1740

I think people know that the reason we need hearings is because of what's in this bill. This bill is a back door to public education. It is built on a foundation of basically giving up on public education because it takes with it each person who leaves. We would have time for this had the hearings been extended. We're still hopeful that the government may take us up on this challenge, but if they would have the time, if they would have that kind of outlook, we'd learn this. We'd find out just how this is structured, that each time a family withdraws a student from the public system there is \$7,000 lost.

These members opposite I think have at least enough exposure—many of them have extensive knowledge—to know better, that that is not going to do anything but weaken the system. It will fragment and undermine it, as the Premier said, as some of these members used to say but are no longer standing up to say in this House.

I think they owe the electorate of this province an explanation. They ran on a different platform. This is not administrative housekeeping; this is a government that took a fundamental change in the way they want to approach education. What does look like the benefit of any extra days of hearings is for them to tell us otherwise. How can you otherwise connect the dots here except that a government that has spent six years attacking, undermining, over-centralizing in a Soviet style, taking control out of classrooms, giving meaningless things for special education teachers to report on, giving other teachers things that are not worthwhile to follow, and taking no accountability and no responsibility—only now does it seem that there's a point to this. The point of it is a government not willing to even commit to the elements of public education but instead willing to give up on it.

That's what we see in the listlessness of the members opposite. If they can't stand up for the members in their ridings, if they can't say, "We're not afraid of you. We'll hear from you," then we know there are no defenders of public education opposite. There are no people willing to go toe to toe with their version of public education, the one that will benefit most of the children in this province, that will be as respectful as possible to all types of diversity, that won't try and pretend and hide behind fairness for a few at the expense of fairness for everyone.

That would be the definition of what this amendment is all about: an opportunity for the members of this House to stand up and say whether or not they're for public education. More importantly, beyond the ambit of the spin, beyond the ambit of the paid advertisements this government I'm sure will be using our tax dollars for, beyond the ambit of the way this government has been operating would be some fundamental honesty about whether or not these members believe in allowing the individual students of this province to reach their potential or whether they pass this bill and get in their way.

Mr Bob Wood (London West): I rise to oppose the amendment and support the motion. The motion gives adequate time for public hearings and for changes to the bill. The amendment is unnecessary. I support the motion because the bill is a good bill that I believe should be passed.

My reasons for that are these: the bill provides for continued tax-cutting policies, which have created over 800,000 net new jobs; it provides for continued new investments in health care, education and community safety, and introduces a significant step forward for the students of Ontario, namely tax credits for independent schools. I support that policy. I do it because I have confidence in parents, I have confidence in the independent schools, I have confidence in the public school system and because I care about all the public elementary and secondary students across this province.

I have confidence in the parents of this province to make the right decisions for their children. It's trite to say, but not always obvious to all, that parents know their children better than anyone else. We also know that in this day and age one size doesn't fit all when it comes to education. There are legitimate choices that have to be made and not all of those choices can be made available in the two public systems.

I also have confidence in the independent schools themselves. It's become apparent during the course of this debate that some members opposite have rather out-of-touch ideas about what goes on in independent schools. I invite them to spend a little more time visiting. I invite these members across the way to spend a little more time visiting independent schools so they understand what actually goes on in them.

I think the record is quite clear. They are approving the parents who choose those schools to be right for their particular children and that the schools are doing a good job. The Ontario Alliance of Christian Schools, for example, had an 82% success rate in the grade 10 tests, which contrasts favourably with the 68% across the two public systems.

I might say as well that I have confidence in the public schools. It's happened time after time that, where people have more choice, the vast majority still choose a public system. If one wants confirmation of that, one can look at the province of Quebec, the province of Alberta, the province of British Columbia, or, if you wish to look to foreign jurisdictions, look perhaps to Denmark, which has a long tradition of support for independent schools.

They have strong, effective public systems in every one of those jurisdictions.

I might say that this really seems to be the major objection raised to this proposal: "Gee, if we help the 5% who don't get any help now, it's going to hurt the two public systems." The people who say that betray a lack of confidence in our public systems. The evidence is quite clear from elsewhere that the public systems are quite able to attract students and they are quite able to do a good job for the students they have. So, I would invite the members across the way to show a little more confidence in our two public systems than they seem to be showing right at the moment.

The other reason that I am a big supporter of this budget generally, and the proposal for tax credits in particular, is that I believe in supporting education for all the students of Ontario. Sometimes the 100,000 students in the independent system tend to get a bit neglected, particularly by the members opposite. They seem to be the second-class people in the universe for the members opposite. I would invite them to open their minds a little, see the very positive things that are happening in the independent schools and consider offering a little more tangible support, rather than just the rhetoric that we tend to get from the opposition on this subject.

I would also like to say, in opposing the amendment and in supporting the motion, I do hope that the members of the Liberal Party will take advantage of the hearings that are going to be held and tell us just where they stand, where their party stands, on the issue of help for independent schools. They say they're opposed to the proposal for tax credits, and I understand that position. What I don't understand is what they do have in mind for independent schools. Their leader says he favours aid to religious schools, it's merely a matter of him figuring out how and a matter of him figuring out when. I say they now have before them a very positive initiative to help the independent schools. If they have a better idea, let them come forward now and tell us what it is. If they indeed have a good idea, let them bring it forward. All we hear now is opposition and a promise they'll think about it later.

I would invite the Leader of the Opposition to come into the House tomorrow and tell us how he intends to help religious schools. I would invite the Leader of the Opposition to come into this House tomorrow and tell us when, because the truth of the matter is these independent schools are doing their work now. Now is the time to recognize the work they're doing, to give appropriate help for it and to stop the rhetoric.

What I would respectfully suggest to the House is this: I think that the Leader of the Opposition is taking a traditional Liberal position. He wants to have it both ways. He wants to try and attract those who like our idea by saying he'll do something later and also attract those who don't by saying he's opposed to our idea now.

The Deputy Speaker: The time for debate is complete.

Mr Marchese has moved an amendment to the amendment to government motion number 22:

That the third paragraph be struck and the following inserted:

"That the committee be authorized to meet for 80 days throughout the summer in locations across the province, including northern and rural communities, as recommended by Howard Hampton and the Ontario NDP caucus in a letter to the Honourable Janet Ecker, government House leader, on May 17, 2001."

Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

Call in the members.

The division bells rang from 1750 to 1800.

The Deputy Speaker: Order. Mr Marchese has moved an amendment to the amendment to government motion number 22. If those in favour would please rise one at a time and be recognized by the Clerk.

Ayes

Bartolucci, Rick	Dombrowsky, Leona	Marchese, Rosario
Bisson, Gilles	Duncan, Dwight	Martel, Shelley
Bountrogianni, Marie	Gravelle, Michael	McGuinty, Dalton
Bradley, James J.	Hampton, Howard	McLeod, Lyn
Caplan, David	Hoy, Pat	McMeekin, Ted
Christopherson, David	Kennedy, Gerard	Phillips, Gerry
Churley, Marilyn	Kormos, Peter	Pupatello, Sandra
Conway, Sean G.	Kwinter, Monte	Ramsay, David
Crozier, Bruce	Lalonde, Jean-Marc	Sergio, Mario
Di Cocco, Caroline	Levac, David	Smitherman, George

The Deputy Speaker: Those opposed will please rise one at a time until recognized by the Clerk.

Nays

Baird, John R.	Hardeman, Ernie	Ouellette, Jerry J.
Barrett, Toby	Hastings, John	Sampson, Rob
Beaubien, Marcel	Hudak, Tim	Snobelen, John
Chudleigh, Ted	Jackson, Cameron	Spina, Joseph
Clark, Brad	Johns, Helen	Sterling, Norman W.
Clement, Tony	Kells, Morley	Stockwell, Chris
Coburn, Brian	Klees, Frank	Tascona, Joseph N.
Cunningham, Dianne	Mariand, Margaret	Tilson, David
DeFaria, Carl	Maves, Bart	Tsubouchi, David H.
Dunlop, Garfield	Mazzilli, Frank	Turnbull, David
Ecker, Janet	Miller, Norm	Wettlaufer, Wayne
Elliott, Brenda	Molinari, Tina R.	Wilson, Jim
Flaherty, Jim	Munro, Julia	Witmer, Elizabeth
Galt, Doug	Murdoch, Bill	Wood, Bob
Gilchrist, Steve	Mushinski, Marilyn	Young, David
Gill, Raminder	Newman, Dan	
Guzzo, Garry J.	O'Toole, John	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 30; the nays are 49.

The Deputy Speaker: I declare the motion lost.

We will now deal with the amendment to the time allocation motion relating to Bill 45.

Mr Duncan has moved the following amendment:

The third paragraph of the government motion be struck out and the following inserted:

"That the committee shall be authorized to meet throughout the summer in at least 10 cities and towns, for at least 370 hours of public hearings. The venues for those hearings will be established by the committee and

shall include Sudbury, London, Toronto and St Catharines."

The fourth paragraph of the government motion be struck out and the following inserted:

"That the committee shall meet for clause-by-clause consideration of Bill 45 before the House resumes in the fall and that clause-by-clause consideration not conclude until all amendments placed by the government and opposition parties have been given due consideration."

That paragraph 5 be struck out.

That paragraphs 7 and 8 be struck out.

That the words "and not later than June 25, 2001" in paragraph 9 be struck out.

That paragraph 10 be struck out.

That paragraph 12 be struck out from the government motion and the following inserted:

"The time allotted to the third reading stage of Bill 45 be the aggregate of 20 minutes times the number of members who did not speak at the second reading stage of the bill, such aggregate amount to be divided equally among the recognized parties."

The Deputy Speaker: Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

Same vote?

Call in the members; this will be a 10-minute bell.

The division bells rang from 1805 to 1815.

The Deputy Speaker: Order. All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Bartolucci, Rick	Duncan, Dwight	Martel, Shelley
Bisson, Gilles	Gravelle, Michael	McGuinty, Dalton
Bountrogianni, Marie	Hampton, Howard	McLeod, Lyn
Bradley, James J.	Hoy, Pat	McMeekin, Ted
Caplan, David	Kennedy, Gerard	Phillips, Gerry
Christopherson, David	Kormos, Peter	Pupatello, Sandra
Conway, Sean G.	Kwinter, Monte	Ramsay, David
Crozier, Bruce	Lalonde, Jean-Marc	Sergio, Mario
Di Cocco, Caroline	Levac, David	Smitherman, George
Dombrowsky, Leona	Marchese, Rosario	

The Deputy Speaker: All those opposed will please rise one at a time until recognized by the Clerk.

Nays

Baird, John R.	Hardeman, Ernie	O'Toole, John
Barrett, Toby	Hastings, John	Ouellette, Jerry J.
Chudleigh, Ted	Hudak, Tim	Sampson, Rob
Clark, Brad	Jackson, Cameron	Snobelen, John
Clement, Tony	Johns, Helen	Spina, Joseph
Coburn, Brian	Kells, Morley	Sterling, Norman W.
Cunningham, Dianne	Klees, Frank	Tascona, Joseph N.
DeFaria, Carl	Mariand, Margaret	Tilson, David
Dunlop, Garfield	Maves, Bart	Tsubouchi, David H.
Ecker, Janet	Mazzilli, Frank	Turnbull, David
Elliott, Brenda	Miller, Norm	Wettlaufer, Wayne
Flaherty, Jim	Molinari, Tina R.	Wilson, Jim
Galt, Doug	Munro, Julia	Witmer, Elizabeth
Gilchrist, Steve	Murdoch, Bill	Wood, Bob
Gill, Raminder	Mushinski, Marilyn	Young, David
Guzzo, Garry J.	Newman, Dan	

Clerk of the House: The ayes are 29; the nays are 47.

The Deputy Speaker: I declare the motion lost.

We will now deal with government notice of motion number 22 standing in the name of Mrs Ecker.

Is it the pleasure of the House that the motion carry?

Carried.

It being past 6 of the clock, this House stands adjourned until 6:45.

The House adjourned at 1819.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston
 Speaker / Président: Hon / L'hon Gary Carr
 Clerk / Greffier: Claude L. DesRosiers
 Clerk Assistant / Greffière adjointe: Deborah Deller
 Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman
 Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Agostino, Dominic (L)	Hamilton East / -Est	chief opposition whip / whip en chef de l'opposition
Arnott, Ted (PC)	Waterloo-Wellington	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire à la ministre de l'Environnement
Baird, Hon / L'hon John R. (PC)	Nepean-Carleton	Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles
Bartolucci, Rick (L)	Sudbury	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Beaubien, Marcel (PC)	Lambton-Kent-Middlesex	
Bisson, Gilles (ND)	Timmins-James Bay / Timmins-Baie James	
Bountrogianni, Marie (L)	Hamilton Mountain	
Boyer, Claudette (Ind)	Ottawa-Vanier	
Bradley, James J. (L)	St Catharines	
Brown, Michael A. (L)	Algoma-Manitoulin	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Bryant, Michael (L)	St Paul's	
Caplan, David (L)	Don Valley East / -Est	deputy opposition whip / whip adjoint de l'opposition
Carr, Hon / L'hon Gary (PC)	Oakville	Speaker / Président
Christopherson, David (ND)	Hamilton West / -Ouest	
Chudleigh, Ted (PC)	Halton	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Churley, Marilyn (ND)	Toronto-Danforth	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Clark, Hon / L'hon Brad (PC)	Stoney Creek	Minister of Transportation / ministre des Transports
Cleary, John C. (L)	Stormont-Dundas- Charlottenburgh	
Clement, Hon / L'hon Tony (PC)	Brampton West-Mississauga / Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Coburn, Hon / L'hon Brian (PC)	Ottawa-Orléans	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Colle, Mike (L)	Eglinton-Lawrence	
Conway, Sean G. (L)	Renfrew-Nipissing-Pembroke	
Cordiano, Joseph (L)	York South-Weston / York-Sud-Weston	
Crozier, Bruce (L)	Essex	
Cunningham, Hon / L'hon Dianne (PC)	London North Centre / London-Centre-Nord	Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Curling, Alvin (L)	Scarborough-Rouge River	
DeFaria, Carl (PC)	Mississauga East / -Est	Parliamentary assistant to the Minister of Citizenship / adjoint parlementaire au ministre des Affaires civiques
Di Cocco, Caroline (L)	Samia-Lambton	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Dombrowsky, Leona (L)	Hastings-Frontenac-Lennox and Addington	opposition House leader / chef parlementaire de l'opposition Parliamentary assistant to the Minister of Education and government House leader / adjoint parlementaire à la ministre de l'Éducation et leader parlementaire du gouvernement
Duncan, Dwight (L)	Windsor-St Clair	
Dunlop, Garfield (PC)	Simcoe North / -Nord	
Ecker, Hon / L'hon Janet (PC)	Pickering-Ajax-Uxbridge	Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement
Elliott, Hon / L'hon Brenda (PC)	Guelph-Wellington	Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales
Flaherty, Hon / L'hon Jim (PC)	Whitby-Ajax	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Galt, Doug (PC)	Northumberland	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire au ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Gerretsen, John (L)	Kingston and the Islands / Kingston et les îles	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjoint parlementaire à la ministre de la Formation et des Collèges et Universités
Gilchrist, Steve (PC)	Scarborough East / -Est	
Gill, Raminder (PC)	Bramalea-Gore- Malton-Springdale	
Gravelle, Michael (L)	Thunder Bay-Superior North / -Nord	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Guzzo, Garry J. (PC)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	
Hampton, Howard (ND)	Kenora-Rainy River	
Hardeman, Ernie (PC)	Oxford	Parliamentary assistant to the Deputy Premier and Minister of Finance / adjoint parlementaire au vice-premier ministre et ministre des Finances
Harris, Hon / L'hon Michael D. (PC)	Nipissing	Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Hastings, John (PC)	Etobicoke North / -Nord	Parliamentary assistant to the Minister of Energy, Science and Technology / adjoint parlementaire au ministre de l'Énergie, des Sciences et de la Technologie
Hodgson, Hon / L'hon Chris (PC)	Haliburton-Victoria-Brock	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Hoy, Pat (L)	Chatham-Kent Essex	Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs
Hudak, Hon / L'hon Tim (PC)	Erie-Lincoln	
Jackson, Hon / L'hon Cameron (PC)	Burlington	
Johns, Hon / L'hon Helen (PC)	Huron-Bruce	Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
Johnson, Bert (PC)	Perth-Middlesex	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Kells, Morley (PC)	Etobicoke-Lakeshore	Parliamentary assistant to the Minister of Municipal Affairs and Housing / adjoint parlementaire au ministre des Affaires municipales et du Logement
Kennedy, Gerard (L)	Parkdale-High Park	Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint
Klees, Hon / L'hon Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / -Centre	
Kwinter, Monte (L)	York Centre / -Centre	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
Lankin, Frances (ND)	Beaches-East York	
Levac, Dave (L)	Brant	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Marchese, Rosario (ND)	Trinity-Spadina	
Marland, Margaret (PC)	Mississauga South / -Sud	
Martel, Shelley (ND)	Nickel Belt	
Martin, Tony (ND)	Sault Ste Marie	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Martiniuk, Gerry (PC)	Cambridge	
Maves, Bart (PC)	Niagara Falls	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
Mazzilli, Frank (PC)	London-Fanshawe	Parliamentary assistant to the Minister of Tourism, Culture and Recreation / adjoint parlementaire au ministre du Tourisme, de la Culture et des Loisirs
McGuinty, Dalton (L)	Ottawa South / -Sud	Leader of the Opposition / chef de l'opposition
McLeod, Lyn (L)	Thunder Bay-Atikokan	
McMeekin, Ted (L)	Ancaster-Dundas-Flamborough- Aldershot	
Miller, Norm (PC)	Parry Sound-Muskoka	
Molinari, Tina R. (PC)	Thornhill	Parliamentary assistant to the Minister of Community and Social Services and Minister responsible for Children / adjointe parlementaire au ministre des Services sociaux et communautaires et ministre délégué au dossier de l'Enfance
Munro, Julia (PC)	York North / -Nord	Parliamentary assistant to the Minister of Transportation / adjointe parlementaire au ministre des Transports
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Mushinski, Marilyn (PC)	Scarborough Centre / -Centre	Parliamentary assistant to the Premier / adjointe parlementaire au premier ministre
Newman, Hon / L'hon Dan (PC)	Scarborough Southwest / -Sud-Ouest	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
O'Toole, John R. (PC)	Durham	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
Ouellette, Jerry J. (PC)	Oshawa	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines
Parsons, Ernie (L)	Prince Edward-Hastings	
Patten, Richard (L)	Ottawa Centre / -Centre	
Peters, Steve (L)	Elgin-Middlesex-London	
Phillips, Gerry (L)	Scarborough-Agincourt	
Pupatello, Sandra (L)	Windsor West / -Ouest	
Ramsay, David (L)	Timiskaming-Cochrane	
Runciman, Hon / L'hon Robert W. (PC)	Leeds-Grenville	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Ruprecht, Tony (L)	Davenport	
Sampson, Hon / L'hon Rob (PC)	Mississauga Centre / -Centre	Minister of Correctional Services / ministre des Services correctionnels
Sergio, Mario (L)	York West / -Ouest	deputy opposition whip / whip adjoint de l'opposition
Smitherman, George (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	
Snobelen, Hon / L'hon John (PC)	Mississauga West / -Ouest	Minister of Natural Resources / ministre des Richesses naturelles
Spina, Joseph (PC)	Brampton Centre / -Centre	Parliamentary assistant to the Minister of Consumer and Business Services / adjoint parlementaire au ministre des Services aux consommateurs et aux entreprises
Sterling, Hon / L'hon Norman W. (PC)	Lanark-Carleton	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Stewart, R. Gary (PC)	Peterborough	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire au ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Stockwell, Hon / L'hon Chris (PC)	Etobicoke Centre / -Centre	Minister of Labour / ministre du Travail

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Tascona, Joseph N. (PC)	Barrie-Simcoe-Bradford	Parliamentary assistant to the Solicitor General / adjoint parlementaire au solliciteur général
Tilson, David (PC)	Dufferin-Peel-Wellington-Grey	Parliamentary assistant to the Attorney General and minister responsible for native affairs / adjoint parlementaire au procureur général et ministre délégué aux Affaires autochtones
Tsubouchi, Hon / L'hon David H. (PC)	Markham	Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Turnbull, Hon / L'hon David (PC)	Don Valley West / -Ouest	Solicitor General / solliciteur général
Wettlaufer, Wayne (PC)	Kitchener Centre / -Centre	Parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire au président du Conseil de gestion du gouvernement
Wilson, Hon / L'hon Jim (PC)	Simcoe-Grey	Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Witmer, Hon / L'hon Elizabeth (PC)	Kitchener-Waterloo	Minister of the Environment / ministre de l'Environnement
Wood, Bob (PC)	London West / -Ouest	Parliamentary assistant to the Minister of Correctional Services / adjoint parlementaire au ministre des Services correctionnels
Young, Hon / L'hon David (PC)	Willowdale	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Vacant	Vaughan-King-Aurora	

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Gilles Bisson, Alvin Curling,
Gerard Kennedy, Frank Mazzilli,
Norm Miller, John R. O'Toole,
Steve Peters, Wayne Wettlaufer
Clerk / Greffière: Susan Sourial

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Finances et affaires économiques**

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Vice-Chair / Vice-Président: Bruce Crozier
James J. Bradley, Bruce Crozier,
Leona Dombrowsky, Bert Johnson,
Morley Kells, Tony Martin,
Jerry J. Ouellette, Bob Wood
Clerk / Greffière: Tonia Grannum

Justice and Social Policy / Justice et affaires sociales

Chair / Présidente: Toby Barrett
Vice-Chair / Vice-Président: Carl DeFaria
Toby Barrett, Marcel Beaubien,
Michael Bryant, Carl DeFaria,
Garry J. Guzzo, Peter Kormos,
Lyn McLeod, Tina R. Molinari
Clerk / Greffier: Tom Prins

Legislative Assembly / Assemblée législative

Chair / Président: R. Gary Stewart
Vice-Chair / Vice-Président: Vacant
Ted Arnott, Marilyn Churley,
Caroline Di Cocco, Jean-Marc Lalonde,
Margaret Marland, Jerry J. Ouellette,
R. Gary Stewart, Joseph N. Tascona,
Clerk / Greffier: Douglas Arnott

Public accounts / Comptes publics

Chair / Président: John Gerretsen
Vice-Chair / Vice-Président: John C. Cleary
John C. Cleary, John Gerretsen, Raminder Gill,
John Hastings, Shelley Martel, Bart Maves,
Julia Munro, Richard Patten
Clerk / Greffière: Tonia Grannum

**Regulations and private bills /
Règlements et des projets de loi d'internet privé**

Chair / Présidente: Frances Lankin
Vice-Chair / Vice-Président: Garfield Dunlop
Gilles Bisson, Garfield Dunlop,
Raminder Gill, Pat Hoy, Frances Lankin,
Frank Mazzilli, Ted McMeekin, Bill Murdoch
Clerk / Greffier: Douglas Arnott

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

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of Ontario**
Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**
Deuxième session, 37^e législature

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Monday 4 June 2001

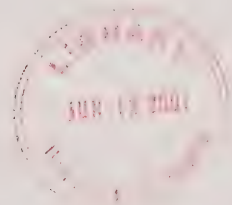
Lundi 4 juin 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 4 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 4 juin 2001

The House met at 1845.

MEMBER'S PRIVILEGE

Mr Peter Kormos (Niagara Centre): On a point of privilege, Mr Speaker, pursuant to standing order 21: First let me indicate to you, sir, that notice has not been filed because this is a point of privilege that I submit arose out of proceedings in the chamber during the course of—and, I appreciate, because of the artificiality of the two sessional days. But it's as a result of a matter that occurred at approximately 6:15 pm.

As the Speaker will know, the motion for time allocation of Bill 45 had been debated this afternoon. There had been an amendment by the Liberal caucus and an amendment to the amendment by the NDP caucus. These were voted on: first the NDP caucus amendment, first by way of voice vote. There were noes, which permitted five people to stand, and then a recorded vote. It then went to the Liberal amendment: similarly, voice vote, noes, five people stood, and then a recorded vote. When the main motion—those two amendments being defeated—came to a vote, there was the traditional voice vote.

Now, this is my point of privilege, sir, and I carry with it no criticism of the Chair. But I say to you, sir—and this is particularly troubling, because I speak for myself, obviously; it's my point of privilege. Speaker, I know that you've heard me register my no to various votes in the course of various proceedings any number of times. My voice is reasonably voluminous in terms of the volume at which I can project it, and I tell you, sir, that I said no, in the manner in which the Speaker has heard it so many times. I don't begrudge other members the right to say, "Carried." But I can tell you that I said no and I heard—I don't purport to identify who said it—other noes. That's all I can tell you. I wasn't sitting where you are; I was sitting where I am. I heard other noes.

The Speaker, sir, had the motion carrying. I've had the counsel of people from the Clerk's office, because I sought their assistance in terms of what the procedure is, and I accept their counsel. I appreciate that the Speaker has to hear a no or noes. But I raise the dilemma that we, in this instance, in the opposition—it could happen to government members as well. If indeed one person out of 103 wants to register a no, and the level of volume throughout the House is such that, notwithstanding that others might hear him, the Speaker, being way over here, and me being way over here, can't hear him, that is a very practical problem.

I'm submitting to you, sir, because the effect of the Speaker's decision—and I submit that it did not appear that the Speaker consulted any other person or persons in the course of making the determination that no one said no. I find it, again, a difficult thing. I submit that it's probably difficult for you as the Speaker to respond to this. I know what the rules are, and I have every intention of using my best efforts to abide by them, but it's particularly troublesome for myself and, I am confident, for other members, for when we say no in a voice vote, what do I say to one of my colleagues whose voice may be more sotto voce by nature than mine is? What do I say to him or her?

So I submit, sir, that there has been a breach of my privileges, and I submit, however difficult the dilemma it creates for you, that it requires, yes, some sort of ruling or response from you. Again, it's not one that necessarily—although the protocol is normally to deliver the ruling immediately, that business is, for the moment, done and over with, so it's not something that necessarily requires an immediate ruling.

The Speaker (Hon Gary Carr): I thank the member for his explanation. I actually happened to be watching the proceedings. It is very difficult, and as you know, there is nothing that allows us to go back. The Speaker did rule. I also must say it is sometimes difficult, you're right, and I certainly do hear the member from Niagara Centre. In fact, on a number of occasions he will give me a warning he's going to say no, with a nod, as he's doing now. It's a very difficult situation, but unfortunately there isn't anything we can do. It is not a point of privilege in terms of any procedures that we may have here to go back. Unfortunately, the circumstances were that the Speaker made a ruling, heard what he heard, and that ruling has to stand.

ORDERS OF THE DAY

BROWNFIELDS STATUTE LAW
AMENDMENT ACT, 2001/

LOI DE 2001 MODIFIANT DES LOIS
EN CE QUI CONCERNE
LES FRICHES CONTAMINÉES

Resuming the debate adjourned on May 31, 2001, on the motion for second reading of Bill 56, An Act to encourage the revitalization of contaminated land and to make other amendments relating to environmental

matters / *Projet de loi 56, Loi visant à encourager la revitalisation des terrains contaminés et apportant d'autres modifications se rapportant à des questions environnementales.*

The Speaker (Hon Gary Carr): Further debate?

Ms Marilyn Churley (Toronto-Danforth): I didn't get an answer from my House leader here. Can they really do that?

Mr Peter Kormos (Niagara Centre): Oh, you bet your boots, sister.

Ms Churley: Thank you, brother.

It is with pleasure that I stand to spend a whole hour tonight speaking to my colleagues in the House and people who are watching on TV. It's a bill that I can almost support if we just do some more work on it, but of course it's a bill that has a lot of problems. It does connect with the environment, which is a major critic area of mine, and municipal affairs and the GTA. It sprawls, so to speak, across all three of my critic areas for the New Democratic Party, so I have some things to say that are very related to this.

Let me say that it's interesting that this is before us now, because of what is happening in Port Colborne. There was a story in the *Hamilton Spectator* today about it, and it's been in, obviously, various other newspapers as well. This story is headlined "Port Colborne Evacuation Urged," and that was me, the NDP critic for the environment, demanding that where tests have been done and there clearly is contamination in people's houses, not just in the yards, to err on the side of caution when it comes to the people living in those houses. I said very clearly that this is not a situation that we should fool around with and take any chances.

The Minister of Tourism, Tim Hudak, represents that area, and I respect his concern and the fact that those are his residents. I genuinely do think and know that he's concerned as well. But he did say, "I don't think Marilyn Churley is the medical officer of health. I don't think we should take any action that does not come with the advice of the medical officer of health. We need to make sure we have the best advice possible."

The article stated, "The Environment Minister ... could not be reached for comment, but earlier in the day she told reporters the government is determined to do all it can to protect the health of residents."

I want to put on the record as we talk about brownfield development here—and this of course is entirely connected—a brownfield we have in this situation, where we have nickel contamination.

I express my concern about this not as the environment critic for the NDP, not because I ran for political office as an environmentalist, and not to be alarmist, but because—and I think many people in this Legislature have heard me speak of this before, and I will speak of it again—we have a lot of brownfield land in my riding, now called Toronto-Danforth, in the south Riverdale area. It was industrial land for a very long time. The community, particularly those who live in south Riverdale down by the lake—and I live in south Riverdale, and

have for a number of years—have had to deal with a lot of contaminated sites, a lot of problems. You'll recall recently we had a fire in an old tannery that had a lot of chemicals in it. There's very little old industry left in the area, but there's still some. It's been mostly cleaned up, but we have a lot of contaminated land.

Several years ago, many years before I got into politics, and one of the issues that drove me to politics, although I personally will not and cannot take a lot of credit for the work that happened in south Riverdale, was around the issue of lead contamination, but it galvanized me to get involved. There were a number of other community activists at that time who were involved with contamination of the land, the lead contamination at that time, who came together in the community and spent years. Mr Speaker, you and I weren't here then; in fact, very few of the members who are still in this House from any party were actually members at the time. There are a few who would remember this.

The soil in south Riverdale around the old lead plant was contaminated with lead, and for a number of years experts said it wasn't a problem. The levels that had been tested over the years, the experts and government officials and MPPs and city councillors and what have you, medical officers of health at the time, said, weren't a problem. Dedicated people in the community, the South Riverdale Community Health Centre and other people, were seeing that there were problems, that there was a high level of schoolchildren with learning disabilities and other problems. People fought over the years to have government pay attention to the issue and at least come out and test the soil and test the blood of the children who lived in the area. Believe me, it took years and years and years for anybody to pay attention. By the time these activists and health care people in south Riverdale got the government of the day to pay attention—I remember David Reville, who was a member in this House, raising it, and Jim Renwick before him, who has sadly passed on, but some of you may remember him.

It was raised time and time again at city hall and in this very chamber, and nobody listened. By the time the community was able to itself get the evidence, it was too late for many of those children. I remember it well, the mobile clinics coming to the community and children lining up to get their blood tested in these clinics. I remember as the test results came in and the shock, the absolute shock—not surprise, but shock—when we saw the high levels of lead in these children and the evidence now that we all well know goes with lead contamination, lead poisoning, particularly for children, which is brain damage in some cases, severe learning disabilities in many.

That's what happened in south Riverdale, and that's why, when we have this contamination problem in Port Colborne, I say I don't feel that I'm being alarmist. I feel I've learned from experience that when there is evidence—and let's not forget that this is now being classified as a class one carcinogen, known to cause cancer—not suspected to cause cancer, known to cause cancer.

That's what we're dealing with here. The day is going to come, and right now we're in the middle of talking about remediation of the soil. In south Riverdale what happened eventually is that the soil was tested and the insides of houses were tested, and what they found was the same situation as in Port Colborne: the lead had got inside the houses. So not only were the children told that they couldn't play in the dirt and do normal things in the school and in their own homes, but they found out that it was in everything in their own houses: in the carpets, in the walls, in their beds. It was everywhere, quite an awful situation once they found out how bad it was.

Eventually, over time, an agreement was made with the then provincial government and, I believe, city council, and it was determined that the most urgent and important thing to do at that time was to get the soil replaced in a large area. In the case of lead, it turned out that there was a method that had been determined in the United States, I believe. It was quite costly, but it was believed to be successful. Not only was soil replaced in the schoolyards and in the yards—it's hard to believe now; it was quite an undertaking, and those people lived through hell for a while while this was going on—but they also had their houses cleaned from top to bottom, including the roofs, outside. Every square inch of their houses was specifically cleaned according to a plan. It took a very long time. We still, in south Riverdale, have periodic testing of the soil in that particular area and there are still high lead levels in certain areas, but overall we got rid of the lead.

1900 That was due to a lot of community action, but let's think back. I don't know if anybody has followed what happened to those children who were poisoned by the lead at that time, but we do know that some of them had severe learning disabilities which were directly related to the lead poisoning. As far as I know, they never got any compensation or any specific help as a result of that. I think at the time we were just so relieved that finally we were believed as a community, that the evidence was there and that the problem was resolved over time.

So when I look at what's happening in Port Colborne and the fact that there is evidence now that, as I said before, nickel oxide can cause—does cause—cancer, no wonder, as it says in this newspaper, "Families Living a Nightmare." Can you imagine, can any of us in this House imagine, what it must be like for those families with kids living in those houses when it's not suspected, but it has already been announced, that it is a cancer-causing carcinogen, and nobody knowing for sure what's going to happen? It was bad enough when it was known to be in the soil, but to find out it's actually in your house must be frightening. That is why I urge the government to act quickly, specifically in the houses where the nickel oxide levels are so high that it could be a dangerous situation for these people to be in. I think that's an absolutely critical thing that needs to be done.

I am talking about brownfields now, of course, because this, as I said earlier, is going to be one big brown-

field to clean up and somebody is going to have to pay for it—which brings me back to the bill before us, because I can tell you that when we had the soil replacement to take the lead out—

Mr Rick Bartolucci (Sudbury): Who was the minister who cleaned up your area?

Ms Churley: I can't remember now. I was going to do my research before I came tonight and I didn't get around to it, but Mr Bradley might know. I don't know if he was around at the time. Was that Mr Bradley who finally—

Mr James J. Bradley (St Catharines): I remember it very well.

Ms Churley: It must have been Mr Bradley from the Liberal government, and Mr Bradley would be able to tell you—the member for St Catharines, I should say, the then Minister of the Environment—that at times I was a real thorn in his side—

Mr Bradley: No, never.

Ms Churley: "No, never," he says—but a friendly one. He could tell you a story of when I was—that was in the days when there were actually grants for environmental groups who were doing good works. I remember—I believe this is what it was about—we had started the Canadian Environmental Defence Fund. Is that right, Mr Bradley? I think that's it, and I wasn't getting a response, or maybe it was fighting garbage incineration. I think I was doing both at the same time in south Riverdale. I was doing that as a citizen and I couldn't get a response quickly enough from the then Minister of the Environment, the member for St Catharines, and I used to call him a lot. I remember one day actually going down to his office. They were very friendly people. They let me go right up to the 14th floor, was it?

Mr Bradley: Fifteenth. It doesn't happen now.

Ms Churley: You can't get that close to a minister's office now. I sat outside the minister's door. I just plunked myself down and I just sat there—I had a good book with me—and waited until Mr Bradley appeared, and I think we had a good little meeting at that time. He was approachable—we had met before—and we resolved the problem, and I think he came to the founding meeting shortly thereafter and presented me with a cheque. I'm very pleased to tell you that the Canadian Environmental Defence Fund is alive and thriving and is doing excellent work across the country now.

Coming back to the bill at hand here—because I must admit I got a bit sidetracked then—this Brownfields Statute Law Amendment Act before us, I want to say that of course the NDP supports taking special measures to clean up former industrial sites. It goes without saying that, coming from the riding I do, and south Riverdale particularly, I'm very happy to see this legislation before us. It's absolutely key to revitalizing downtowns throughout the province. Again, my riding in Toronto, on the waterfront, with different types of contamination, some worse than others, is one of those areas that desperately need some kind of remediation.

That's why I and my party, the NDP, are disappointed that the government once again did not come up with any

money to help with the actual cleanup. A small amount of money for the Toronto waterfront is not enough. Communities across the province need the help of the provincial government.

I have heard—and I'm not sure, because I'm hearing so many different opinions about the SuperBuild fund that's there—that it's very difficult money to access. Some communities' mayors and councillors tell me that it's very difficult. They have to hire experts or people who know the government to figure out how to fill in the forms and get access to that money.

The other thing I'm hearing, and this relates specifically to Toronto, is that the infrastructure money that the government is making available to communities across the province for—of course, there is a variety of things under the infrastructure money. I'm hearing that the only money the city of Toronto is getting from that infrastructure money—I'm not talking about the SuperBuild fund here—is the money that has already been earmarked to clean up the waterfront, which leaves Toronto high and dry when it comes to asking for any other money for any other infrastructure problems. This is what I've heard. I'm hoping the government will tell us otherwise.

I know the government doesn't accept the reality of the downloading and the exchange of services. They say it's revenue-neutral. That is not so. I'm glad there's a new discussion going on between the Minister of Finance and the mayor of Toronto and others. Hopefully they will sit down and come to a reasoned discussion about what to do around the issues of not just Toronto—

Mr Wayne Wettlaufer (Kitchener Centre): Sell off Metro Hall.

Ms Churley: Well, I think they are going there, but they're still going to have to spend money on putting these people in offices somewhere. These are real people in real offices doing real work for the citizens of Toronto. They can sell off Metro Hall, and I think they're planning on doing that, but even if they do sell off Metro Hall, which I expect they will when the details are worked out, it's not going to solve the fiscal crisis in the city of Toronto. Indeed, across all of Ontario, across Canada, cities are in a crisis. We know that. I don't think very many people are arguing with it.

The Municipal Act was written, I believe, in—does anybody know the date? It was 18-something, over 100 years ago. That will do. It was written at a time when the majority of people lived in rural areas. I really would like to find that, but I don't have it in front of me. Now we have a situation where about 80% of the people—this is throughout Canada—now live in urban areas. These creatures of the provinces—because that's what we are. That's what cities and municipal governments are under the Municipal Act: creatures of the province. But over 100 years ago when that act was written, everything was so different, the kinds of complexities of the issues.

When the government announced and gave speeches about their Brownfields Statute Law Amendment Act, they talked about Smart Growth, completely missing the point of what smart growth is really all about.

1910

Here it is; it was right in front of me all along. This is from a report that was recently commissioned by the FCM. It says here that "in Canada, municipal governments," as we know, "derive their authority from the provinces. The role, function and structure of local authorities are defined in the 1849 Baldwin Act. When the Baldwin Act was enacted, local governments were pre-occupied with the issues of the day, notably drunkenness and profanity, the running of cattle or poultry in public places, the repair of roads and the prevention or abatement of shivarees, noises and nuisances." "Shivarees," according to the Shorter Oxford English Dictionary, means "a serenade of rough music made with kettles, pans, tea trays etc, used in France in derision of incongruous marriages." That's the definition, and when that act was written that's the kinds of things municipal councils dealt with. "At that time," it says, "we were a nation of rural dwellers. Fewer than 15% of Canadians lived in the urban area. By 1996, our demographic geography had completely reversed, with 80% of Canadians living in cities."

I was talking about smart growth and the fact that everything has changed in terms of how our municipalities are now structured and the things that they do. We well know by now that—and specifically after all of the downloading. It's not just the Ontario government downloading; it has happened across the country and it has happened from the federal government as well. Cities have been given more and more responsibility.

So now they've had another responsibility thrown at them. We have the Brownfields Statute Law Amendment Act, but there's no money attached to it, there are no dollars attached to it. Once again, the cities and municipalities across the province are happy to see this come through, but how are they going to find the money to pay for it? It doesn't exist.

We have a situation where it appears that the government thinks that brownfield sites will be cleaned up without any real help from them, by magic perhaps. "Contaminated former industrial sites exist near city and town centres throughout the province." There are also many of those sites in suburban areas. They're all across the province. We well know these sites can be dangerous but also hold enormous potential for appropriate and progressive redevelopment.

"There is substantial evidence that legal liability issues and the former stringent rules of the Ministry of the Environment in regard to removal of contaminants have impeded the remediation and redevelopment of these sites." Of course, Ataritari, in east-central Toronto, is a prime example of that. It's one of the major reasons why that never got developed. Although we want to make sure those stringent environmental standards continue to exist, there is real concern, in this act, that the Ministry of the Environment doesn't have enough staff to be able to make sure that the rules are abided by. Then, there's real concern that these sites will not be cleaned up according to the rules attached.

If we want development within existing urban areas, rather than sprawl—and it's certainly what the New Democratic Party is calling for—then obviously we must be prepared to make the changes that will make it easier to redevelop these sites. It's got to be done, and that's why I say I'm pleased that this bill is before us.

"The bill provides for site-specific risk assessment. Instead of matching up a set of contaminants and level of contamination with the state's requirement for specific kinds of cleanups, landowners are given flexibility to recommend a program of remediation specifically tailored to the risk posed by that site for the particular land use that is proposed." That sounds like a complicated sentence, but what it comes down to is that depending on what's going to happen on that site, there can be different rules applied. The ministry can either accept, reject or modify the proposed plan.

The activity will of course be mostly driven by the proponent and "the key rules will be in the regulations." Of course, we haven't seen those regulations yet, so that's going to be key.

"The developer conducts a phase 1 assessment to determine the likely presence of contaminants and then a more detailed phase 2 assessment may be required to determine the concentration of contaminants. In the latter case, a qualified person must certify the record of the site." Then phase 1 assessments, phase 2 assessments and "qualified persons" will all be defined in the regulations. This could lead to even the requirement for certification by a professional to be defined away.

"Specific contaminants will trigger a risk assessment that must be filed with the director. This assessment would certify that ministry standards for contaminants are being met," and then the director can accept, reject or modify the risk assessment. The decision cannot be appealed. Once a risk assessment is accepted, the director can issue a certificate of property use authorizing the use of a property for specific purposes. There will be a site registry providing information to the public on each property on which a phase 1 or 2 assessment has been completed. Then it goes on and on. So there are clear rules written here, but we'll still have to wait for the regulations to see how much further it goes.

One of the important aspects of this piece of legislation is that relief from liability is being provided to developers and owners for pre-existing contamination, "provided that a record of the site condition has been filed and any subsequent order relating to a risk assessment has been complied with. The ministry can make orders to deal with emergencies, including risk to human health and water supplies."

This is a very important part of the bill before us because one of the reasons why brownfields weren't being developed was the very issue around liability, and of course developers weren't going near it with a 10-foot pole, for obvious reasons.

Within this legislation there is a provision allowing municipalities to give tax relief connected with remediation of brownfield sites during the period of time that the

site is being developed. "There is no proposed provincial funding beyond the Toronto waterfront commitment," and I come back to that again. The government and others say municipalities can earn back the money they put into temporary tax abatements because once the property is redeveloped the property's new higher assessed value would, you would think, translate into property tax revenues. "That may work if there is a private owner who is willing to redevelop, but when the city has inherited a property due to tax default, they may not have the money to clean up the site, a cleanup that will likely be needed to encourage possible private sector developers."

"The ministry itself is given an impressive list of powers, including the power to require financial assurances to be paid to do work that a site owner was required but failed to do," etc. But with the cutbacks to the ministry the usefulness of this is doubtful. There again I come back to my concern that we need to empower the Minister of the Environment, we need to bring back the staff and put the money back in. They can't even do the job they're supposed to be doing now. This adds more responsibilities to the Ministry of the Environment and more responsibilities to a municipality, and in both cases they don't have the money and they don't have the resources to be able to do the job.

One of the things the government announced is that they are seeking public-private partnerships to develop seven new highways and extensions of existing highways. Mr Speaker, this is connected. I want to assure you of that in case there is any doubt. If you would look back through Hansard, when the government announced this and made their speeches when we started second reading of this legislation, they all talked about Smart Growth. So I'm going to talk about Smart Growth because it seems that is, in their view as well, part of this bill.

1920

The government took the wording Smart Growth from, I believe, Al Gore in the US, who came up with the term. A lot of the problems that we now have in Ontario and across the country in our cities happened in the US before they happened here. So-called senior levels of government neglected their cities, the way we're neglecting ours now, and the cities became shells of what they used to be. You know, it was the hole in the doughnut, which is our concern about what's happening to our cities in Ontario right now. It's a term that is supposed to mean healthy, environmentally friendly growth; that is, it's supposed to be friendly to urban public transportation. It's supposed to mean, in the real sense of the word, provisions against urban sprawl, provisions to encourage building in density in built-up areas. But here, the Harris government cynically uses it when they talk about possibly building seven new highways, without a word about investing in public transportation. It's an absurd, duplicitous way—I'm choosing my words carefully and I think that one's OK—to talk about Smart Growth, because this is not Smart Growth. It really is—and many of us said this; it doesn't even sound funny any more, but it's true—dumb growth.

The other day we had the Sierra Club of Canada come to Queen's Park to talk about the Mike Harris version of Smart Growth in terms of building new highways, encouraging urban sprawl and refusing to fund public transit operations. The spokesperson, Janet Pelley—to my knowledge, the government did not consult with people like this, environmentalists and other community groups, around their Smart Growth plan or around this brownfield legislation before us today, and they should have. They're missing a very important and critical point of view when they go ahead with this legislation without consulting with those on this side of the issue.

What Janet Pelley said was, "Harris has sullied the term 'Smart Growth.'" She noted, "This is a legitimate term and it is a good term and it should not be abused by the Premier," as she put it, "to greenwash the strip-malling of Ontario.... Premier Harris says he embraces Smart Growth, but the facts actually show he doesn't know what he's talking about."

The Sierra Club gave a report card—and I sat there along with one of my colleagues from the Liberal Party, Mike Colle, and watched as the Sierra Club gave the Harris Tories an F for his version of Smart Growth, which calls for more highways, and again not a word about operating funding for public transportation, which has got to be a critical part of Smart Growth. You're trying to preserve our farmland. You are going to be cleaning up brownfields in our city. For heaven's sake, what we've got to be focusing on here is public transportation.

It was ironic today when the Minister of the Environment announced that people should be doing things as individuals to help clean up our terrible smog problem in Ontario. Nobody takes issue with that, but on the same day that she made that announcement, it happens to be, by coincidence—or was it?—the very day that public transportation, the TTC, rates have gone up here in Toronto. Of course, statistics show that as rates go up, ridership goes down. Statistics also show that the more highways you build and the more you widen them, it doesn't resolve the problem. That's why you can't just focus on roads.

The NDP has proposed a partial solution to this and it's a good one. It makes a lot of sense and it's been done, or variations of it have been done, in other jurisdictions, others grappling with this same problem. There are all kinds of methods. This is just one idea of how a public transportation system can be funded without raising taxes. There is already a gas tax—and that's another issue, I know, the fact that gas prices fluctuate and go up and down. There are issues around that. But there is a gas tax, which is a major part, in fact, of what we pay for at the pumps, both federally and provincially. The idea is a transit trust fund. What you do is take just 2% of the gas tax fund and you put it into public transportation. If you do the same at the provincial level, that's about \$300 million a year that is earmarked specifically for public transportation and for roads. Nobody is saying, for heaven's sakes—I heard that the Green Party, as an aside,

in their last convention spent a great deal of time debating whether or not they would close the 401—

Interjection.

Ms Churley: I'm serious—should they come to power.

We're not suggesting that, I'm happy to say. We're not suggesting closing down the 401 and highways. We recognize that we need highways, but it's really regrettable that over the years the federal government has virtually finished off our rail system because, of course, without a rail system—a very, very damaged and down-sized rail system—there is a need for more and more trucks on the roads to keep our economy going. That is the reality. I certainly want to find a way, as do many, to bring back a viable rail system which is environmentally cleaner and safer all around than having huge trucks on the road all the time.

But no, we're not suggesting that roads be shut down. What we are suggesting is that in fact roads have been downloaded—once again, another expense to the municipalities. They now have to care for them, and many of our roads are in disrepair and therefore unsafe. What this fund would do is 60% would go to public transportation and 40% would go to roads. We're talking about the good repair of roads that municipalities could count on year to year so they could plan. This is \$300 million a year, and think if the federal government came in on it. We could keep our roads in good repair, we could plan ahead and we could make sure that our transportation systems are viable. That's something we wish very much that the government would look at as they continue to talk about building new roads. That is certainly not smart growth at all.

If you'll look in this report that I was actually quoting from earlier—I should tell you a bit about this report. It's called *Early Warning: Will Canadian Cities Compete?* and it's a study that was prepared for the FCM, the Federation of Canadian Municipalities. They just recently had a meeting in Alberta where this whole issue was discussed in great detail, and that is the crisis that our cities and towns are in across the country. This study is a research paper and what it basically does is not so much suggest policy but look at, as the title implies, what other jurisdictions are doing across this country and across the US and Europe as well in terms of the legal framework and fiscal authority. There are enormous choices and opportunities out there. Again, the European and American cities, and some Canadian cities in fact, are way ahead of us. Coming back to the financing of our public transportation system, this report says one of the innovative financing techniques in France is the national transport contribution tax. This is "a special tax which finances the investment and operation of urban public transport in cities with a population of more than 30,000."

This particular tax is different from the method that we're proposing, taking money from the gas tax. This is paid to the local urban transport authority by all employers with more than nine employees, and it's fixed at

1.75% of wage. That's one of the innovative programs that, in one country, has been used.

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The conclusion of this report, in terms of the research that she has done in a very quick time, says, "This is what we need to do; these are some of the things we need to do." Cleaning up brownfields is one of them. We need to have the money in place to pay for that. One of the other things that we need—and all politicians from municipalities of all stripes I believe are calling for this now—is legal authority for local self-government. This is available to US municipal governments through what's called a home rule charter.

I would suggest to the Minister of Municipal Affairs, if he hasn't already, to take a look at this home rule charter that some American states have brought in to allow their municipalities to give them more autonomy and legal authority to act. Really, the maturity today—and before the minister came in, I'm sure he was watching me speak on TV about the changes in municipal governments from when they were first given power over 100 years ago, and now the fact that 80% of people live in cities and they've got all these responsibilities but they don't have the legal authority or the financing powers to deal with all these issues they have to deal with today. We're talking about brownfields. We're talking about dealing with housing and welfare and child care, and on and on and on, that municipal governments have to deal with.

The other thing they need is fiscal authority to engage in public-private partnerships through such mechanisms as municipal permission to hold a mortgage, access to growth taxes such as sales tax, commonly used in the US, or local income taxes, as imposed in Europe and in the US. Another conclusion here: opportunities to leverage private sector investment through direct tax incentives. Another recommendation—I shouldn't say it's a recommendation; it's written as a conclusion—access to permanent lending programs for infrastructure such as infrastructure banks and revolving funds.

These are some of the conclusions that came from this particular study. I'm sure the minister could take a look at some of these. Not all of them would work for Ontario; some would. I know that the minister must be aware that municipalities across the province are looking for changes and in fact are making it very clear that these changes are desperately needed. We know very well that right now in our cities across the province there isn't enough money to do a lot of the things that need to be done because of the downloading. Some cities like the city of Toronto have been trying to deal with the federal government in a bilateral way, which is very rare. The federal government generally deals specifically with the province or in a tripartite way, where the arrangements and agreements are made between all three levels of government. That's changing a little bit. I know that the city of Toronto is now making some agreements specifically with the federal government. That's something that should be just a normal process.

But again, these kinds of changes are happening all across the country. It's interesting to note in this study that the government of Newfoundland and Labrador—my hometown—proposed a new Municipalities Act in May 1999. It says:

"The act appears to be responsive to the growing needs of municipal governments, promising to increase the scope of municipal autonomy in the areas of taxation, administration and financial management. New and expanded authorities in the areas of service delivery and municipal controls are also included. The proposed legislation removes many of the restrictive provisions of the current act.

"The proposed act has, in fact, been heralded by many as one of the most modern in municipal acts in Canada, offering more opportunity for flexibility and autonomy within a framework of municipal self-government. Provision is made for the government of Newfoundland to consult with the mayor of a city before the province enacts, or amends legislation or makes regulations or policies that affect the city."

Now wouldn't that be nice? I'm sure every mayor or councillor across this province would like to have an opportunity to be able to consult with the government before it moves and changes things without talking to them first.

I want to read to you just briefly what this report says specifically about Ontario. It says:

"All Ontario municipal governments are governed primarily by the Municipal Act, although dozens of other statutes and regulations also dictate what Ontario municipal governments may or may not do. The current Municipal Act confers specific authority for each power to be exercised by a municipality. The 'laundry list approach'. Changes to the Municipal Act were introduced most recently in 1998 and are still under consideration as draft legislation. The government has promised to make the new act more flexible, less prescriptive, more comprehensive"—I've been to the dentist so I'm having a little trouble here today—"and understandable. Initial drafts suggest the government has fallen wide of the mark; instead trading in one set of prescriptive requirements for another."

The final thing it says about Ontario is this, and this is critical and I hope the minister will understand that there's been some concern about where the new act seems to be going:

"While promising to provide 'natural person powers,' the draft legislation limits the extent of such powers and further entrenches a significant level of provincial regulatory power over municipal governments. For example, one proposed change states that by regulation, the provincial cabinet may limit municipal power to engage in commercial activities that represent inappropriate competition with private commercial activities."

So there are some concerns already being stated about where this province, the province of Ontario, and the Mike Harris government are going with changes to the Municipal Act here. I would ask that that the Minister of

Municipal Affairs consult widely with mayors and councillors from across the province before those changes are finished, because it's become increasingly clear that they want to see changes made to the Municipal Act which will allow them to take their new responsibilities more—they take them seriously, but to be able to carry them out.

Mr Speaker, I'll be back with you in one second; I'm having a little trouble here.

Mr Wettlaufer: No problem.

Ms Churley: No problem? I'm not so fiery tonight as I usually am. Going to the dentist will do that to you.

The bill before us tonight is one that the New Democratic Party is not prepared at this point to support, but hopefully after public hearings we will, because there are a number of issues—and I have talked to the Minister of Municipal Affairs and he has made it clear to me that he supports, and I believe he said as well publicly when he spoke to this bill—Mr Speaker, do you mind? I know this is unusual, but suddenly I'm not feeling well and I have to sit down. I don't know what the rules are around this—unanimous consent to take a break? Can I have that?

The Speaker: Just a quick moment; I'll take a bit of a consultation here.

Hon Norman W. Sterling (Minister of Consumer and Business Services): Mr Speaker, I seek unanimous consent to have Ms Churley resume her speech after Mr Wettlaufer takes his turn in rotation.

The Speaker: Is there unanimous consent? Agreed. That way I won't have to consult for a few more minutes to give you some time.

Ms Churley: Thank you. I appreciate that.

The Speaker: Hopefully the honourable member is feeling better.

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Mr Wettlaufer: I'd like to rise and speak in favour of Bill 56, the brownfields act. Let me just be facetious for a few moments and say we don't need this bill. Desolate, closed-up factories in towns, in the middle of residential areas, in the downtowns, are beautiful. We need these brownfields and their polluted land. Why do we need residential development on those lands? Can't we continue to develop farmland? After all, can't intensive farming operations solve our food needs? What does it matter if our downtown areas of urban Ontario are blighted by old, abandoned factories?

I'd like to turn for a moment to the Ontario students debating championship which was held in Kitchener on March 24 and 25 of this year, during which time they were talking about how to make the downtown of urban Ontario like it was in the 1950s and 1960s.

I think of what Ms Churley, the NDP member for Toronto-Danforth, said. She said that the NDP can almost support the bill but that more work is needed. We could do lots of work on this, like the NDP did or like the Liberals did when they were in power: do lots of work on bills and not get anything done. Yes, there are regulations yet to be developed, but that is typical of legislation. Speaker, I think you're aware of that. You've been

around this place longer than I have and certainly that is the way of the world in politics.

But let me get back to the redevelopment of downtown urban Ontario. There are many municipalities, like my riding of Kitchener, that have old factories dating back to the 1800s, mid-1800s, late 1800s or early 1900s, that were the homes of burgeoning industries at that time. Those industries no longer exist. Those industries no longer exist in Canada. They've been replaced elsewhere. Or, in some cases, they're industries that are no longer needed. I can think of the old felt factories, for instance. There are very few of them around any more. There are very few button factories any more. There are very few factories that make shoelaces any more. But there were also other factories, that made shoes, and the tanning of the leathers created pollution in the ground; or metal-working plants, the chemicals that were used.

Interjection.

Mr Wettlaufer: Coal-burning plants. That's right, I say to the member for Ancaster-Dundas-Flamborough-Aldershot. There were chemicals used. The coal itself was used and it polluted the ground.

We have a challenge today. We as a government, and the opposition parties too, have a challenge because we have children and grandchildren who are coming along. Our challenge is to leave them an environment which will be less polluted.

My daughter just got married on Saturday.

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): Congratulations.

Mr Wettlaufer: Thank you very much. I hope she brings children into this world whom I can enjoy, and I hope they do not have polluted lands.

One of the objectives of this legislation is to take those old, abandoned, boarded-up factories and clean up the soil. We have one in Kitchener that is about to undergo some rather dramatic soil cleaning. It's the source of some consternation right now, because the company that is going into this subdivision—because much of the area around it is residential—is going to be undertaking a fair amount of cleaning of not only that land, but they are going to bring other soil in to clean, and they didn't give enough notice to put the residents' minds at ease.

They are having a meeting in the residential neighbourhood tonight, and I would have liked to have been there, but unfortunately—or fortunately, as some people would say—I'm here. To the people who are watching, yes, we are live tonight; this is not a tape from this afternoon.

But it's interesting to note that the company that is buying this land and is going to clean it up over a 10-year period, I believe, is cleaning up this soil in order that there can be put on it a nice residential development. It probably will be multi-residential, to fit in with the neighbourhood. Nevertheless, it will be a nice development. The name of the company is General Environmental Group Inc, from Brampton. I'm looking here at an article from the Kitchener-Waterloo Record on Saturday night, and there is a quotation in here from Jim Barker, a

professor of earth sciences at the University of Waterloo. He said, "It's absolutely standard technology. It's normally operated in a very simple, straightforward manner."

Neil Humphrey is one of the advocates of the neighbourhood and is opposed to this development, but I think he's willing to have his mind changed provided there can be some safeguards for the people of the neighbourhood, and I say to the members of the opposition that one of the things provided for in this legislation is safeguards. Neil Humphrey said, "It's a generally accepted technology. When done properly, nothing comes out of it but pretty clean stuff."

The technique used is called bioremediation, and it works much like composting. It encourages tiny live organisms which are yeast fungi or bacteria already present in the soil to eat the oil, gas or grease that has contaminated it. How it works is basically hungry micro-organisms turn contaminants into harmless products, mainly carbon dioxide and water. When there is no longer any contamination, the "bugs" die out, and what is left then poses no contamination risk.

The one thing that I did notice here is that gas discharges and ventilation pose an engineering challenge, and apparently the smells from contaminated soils can be quite foul. Jim Barker said there is a potential for smells and odours, and I think that's understating it considerably. But the company, this General Environmental Group Inc, intends to control odours and vapours using the same bioremediation technology that cleans the soils, and the cleaned sand used in this process can be sold to help make cement after more processing.

With the proper safeguards, we're talking about massive soil cleanup around this province, which will make it a whole lot better for our children and our grandchildren. As I said before, there are safeguards built in here.

1950 The member from Toronto-Danforth said that with downloading, the municipalities can't afford to do it. Nobody said anything about the municipalities having to do it; they are allowed to do it. There are some municipalities that can afford it and will do it. But downloading didn't cause all the problems. The federal government has downloaded all kinds of things on the province. This is not the 1950s, it is not the 1960s, when we could just keep on increasing taxes and keep on increasing government spending. It can't be done.

I say to the member from Toronto-Danforth that if it was possible, then your government, when you were in power in the early 1990s, wouldn't have increased the debt of this province 100%. Even the member from York South-Weston said last week that government doesn't have the money.

What is the purpose of this legislation, then? It will encourage private enterprise to go in and buy up these lands. How will they do that? Why haven't they done it before? I say to you that the reason they haven't done it before is because, first of all, there were no financial incentives there, plus there was a prospect of severe

environmental liability. What we are doing is limiting the environmental liability.

If I owned a company, why would I go in and buy a piece of property on which I know there is severe contamination, when I know that the environmental liability is going to fall on my shoulders, if I'm not going to get any tax benefit out of it? Why would I do that? I have an obligation to my shareholders. Do you know who those shareholders are, in many cases? Those shareholders are mutual funds, pension funds, including the teachers' pension fund, I say to you, members from the Liberal Party, and they are many other unions' pension funds. Pension funds in this province and in this country are investing most of the money in the stock market today. What I'm saying is that we have an obligation—

Interjection.

Mr Wettlaufer: You don't understand what I just said here, I say to the member from Sarnia-Lambton. The problem is that you people don't see that if I am a businessman and I have an obligation to protect my shareholders, who are the union members of this province, the hard-working individuals of this province, if I have an obligation to them, then I cannot incur an unlimited environmental liability knowingly. It would be irresponsible if I was that company president. It would be unconscionable.

Mr Frank Mazzilli (London-Fanshawe): Actually, what has Petro-Canada done with all its sites? They've been sitting there.

Mr Wettlaufer: Yes, Petro-Canada, owned partially by the taxpayers of the country of Canada; they own 18%. They own all these lands that are sitting there, polluted, and they can't sell them. Well, under this legislation, they will be able to sell them. Many companies will be able to take it on because they will now be able to obtain financing. Banks and other financiers are very hesitant to loan money to allow someone to develop a contaminated property. Why would they do that? Knowing that companies are going to be protected and have some limit to environmental liability, financiers and banks are going to be much more willing to loan the money to have that property cleaned up and developed.

Every one of us has dumps in our riding. This should give us some example of what brownfields can do. Methane gas can be explosive. Methane gas is serious. It can cause illness. It can cause death. There isn't as much methane gas in this province, in these dumps, as there is other contaminants in the soils of abandoned factories, abandoned industrial sites. That is something that needs to be addressed and we have done so in this legislation.

I say to you Liberals and to you NDP, how else do you think you are going to get these lands developed? How else do you think you're going to get these lands cleaned up? You didn't do it when you were in power. You didn't even try, because you didn't have the imagination, but you'll stand in your places and condemn us for putting through a pretty doggone good piece of legislation.

Yes, there can be improvements, minor ones. We're going to have public hearings, and isn't that what public

hearings are for? I thought that was democracy. You people, of course, probably want more public hearings than what you ever held, but that's another argument. That's a case for another day.

What we want as a government is to foster clean, healthy, dynamic neighbourhoods; clean, healthy, dynamic communities.

Two weeks ago, I spent a couple of days in my riding during constituency week. I was talking to some of my constituents about this legislation and, do you know, one thing that really came home to me were a few comments that said, "We don't care how you do it, just do it." Those were the comments from constituents. They want it done and they want it done as soon as possible.

This does tie in with Smart Growth. Smart Growth is designed to encourage, promote and manage growth in a strong economy, in a sustainable economy, in strong communities and in a clean, healthy environment. That's what we want.

There is no alternative. The only alternative is what I said when I stood up, that we don't need the bill; that these desolate, closed-up factories are beautiful; that we can continue to develop our municipalities on existing farmlands; that we can replace all this good farmland, which is now growing crops, with intensive farming operations to meet our food needs. That's the alternative. Is that what you want? It's not what I want. It's not what the people of my riding want. It's not what my daughter wants. It's not what I hope her children want. The children of the people of my riding want a sustainable future, a healthy future, a strong economy and, yes, they can all go hand in hand. This legislation provides us with the means to do so.

The Speaker: Questions and comments?

Mr Bradley: I looked at the bill that was presented to us initially. In fact, when the announcement was made, I was quite delighted that we might see something that would be pretty substantial. While there are some parts of the legislation that I think are supportable, by and large, it simply does not go nearly far enough to solve the problem that the member for Kitchener describes. And the use of what they call brownfield sites or old industrial sites is a problem around the province..

What a lot of people in the municipalities will see it as is a downloading of responsibility. I think it would be better to be a partnership rather than a downloading. I'm not saying the province would have full responsibility for brownfield sites, because communities themselves can benefit as well, but I think it would be good to have a provincial-municipal partnership, along with the private sector, for instance, in the redevelopment of these lands.

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The other thing I caution for members of the House, and Norm Sterling, as a former minister, is that what you find with a lot of these lands is they're a lot more contaminated than you think they are. On the surface they look like they're easily cleaned-up problems, or fairly easily cleaned-up problems. We've all had them in our communities. By the time you're finished with them, you find out that they're quite expensive.

What I would be concerned about is one municipality vying against another municipality in terms of incentives. The reason I say that is, in the United States they're allowed to do that. In Ontario, wisely, I don't think we allow our municipalities to compete in that way by offering these kinds of very special incentives that others do.

I see some hope for this. I couldn't support the bill as I see it right now. I see some good things in it; I'm just very concerned that the provincial role is not going to be a sufficient enough role in this. If it were a true partnership, I think there'd be a lot more enthusiasm among people in the municipal sector to support it.

Mr Gilles Bisson (Timmins-James Bay): It's on the question of partnership that I want to question the parliamentary assistant. First of all, yes, this bill gives the municipalities some tools to escape some of the liability to do the necessary cleanups, but what it really comes down to is that you might be giving them tools to do that at the local level but there really isn't a partnership between the province and the municipality if we're serious about cleaning up some of these sites.

I speak specifically of the city of Timmins. In the centre of our city, between Schumacher and Timmins, there are the old Hollinger mine tailings—actually the old McIntyre mine tailings—which were reclaimed by a company back in the mid-1980s and left one heck of a mess right in the middle of the city. One of the issues for us has been that we've been unable to clean that for two reasons: one, because of the liability issue, which this legislation tries to address, and for that I think the bill is OK; but the bigger issue is that of the cost of being able to clean up something like this. No developer and no municipality, either on their own or in a partnership between the two, have the money to do the kind of cleanup that it's necessary to do there.

I would give the government a good mark for trying to put forward a piece of legislation that deals with the liability issue, but a failing grade when it comes to the ability to create the kind of financial assurances that are needed to do those cleanups.

To the point that the parliamentary assistant made, "Well, you were in government from 1990 to 1995 and you did nothing," what BS. Our government was quite proactive in dealing with a number of these issues. I can remember a number of sites within my own riding that were cleaned up as a result of actions the NDP government took by not only providing the legislative framework but providing the funding, such as we did with the Hollinger mine stack tailings when those particular areas had to be cleaned to the tune of millions of dollars. We were there with the money; where are you?

Hon Mr Sterling: This piece of legislation comes after a long time of consultation. I think the consultations on brownfield sites did go back into the early 1990s, perhaps even back into the 1980s.

The conundrum that a government finds itself in is trying to give some kind of comfort to the financiers of developers who would develop on brownfield sites and, as well, to try to clean up a problem that municipalities

have with bankrupt companies, bankrupt people who would leave a site which was badly contaminated, not paying their taxes, and municipalities being reluctant to step in and take over that particular site.

I would only say to members that I hope they would approach this particular bill with an open mind, to try to create some solutions to all those kinds of conundrums that we face. I don't think this is a particularly political bill. I think it's an attempt for a start at a solution to trying to get some of these brownfield sites redeveloped. I don't think the provincial government should take all of the responsibility here without some kind of compensation coming forward from the landowners, who are going to greatly benefit from the increase in value of their land by being able to develop it. I throw the challenge out to members opposite that if they can come up with some ideas, I don't think this government has closed the debate on this with regard to this bill.

Ms Caroline Di Cocco (Sarnia-Lambton): In the context of this bill, and I agree with the member from St Catharines, initially it sounds like a wonderful idea, but unfortunately when you scratch the surface, again it's appearing to do something. The fact remains that once you give this idea—and I heard Minister Sterling saying that it's to comfort the financiers and the developers, brownfield sites, or even the cleaning of brownfield sites. It's more than comforting financiers. It has to do with environment, environmental integrity of our communities.

There are good ideas out there and I believe that partnership is what the cleaning up of brownfield sites should be about. It shouldn't be divesting yourself of the responsibility and saying, "We're just going to hand it over to the municipalities and we're going to allow them to clean it up. We're going to allow them to do the things they need to do to, let's say, give tax incentives. The loss and the responsibility lie in the hands of the municipalities."

Partnership means that people work together and that they are provided the financial tools. It's very expensive to truly clean up these brownfield sites. Unfortunately, it's painful to sit here and listen to the rhetoric that is not dealing with the facts and the complexity of the problem, but with the simplistic appearance of doing something when in actual fact there is very little being done.

The Deputy Speaker (Mr Michael A. Brown): Before I call on the member for Kitchener Centre I would like to bring the attention of the members to the Baden-Powell Timber Wolves, who are visiting us from Thornhill, in the east gallery.

The member for Kitchener Centre, in response.

Mr Wettlaufer: Speaker, it was very nice of you to recognize the Baden-Powell Timber Wolves, but I wonder sometimes if you aren't taking great privilege. If I would have done that, you would have told me that wasn't a point of order. But that's OK, Speaker; I'm really happy you did that.

I thank the members from St Catharines, Timmins-James Bay, Lanark-Carleton and Sarnia-Lambton for entering into this debate and for giving their comments.

I'm particularly interested in the comments from the member for Sarnia-Lambton when she says that financial tools aren't all that "necessary," that it's just for appearance. This is the same member who didn't seem to know what I was talking about when I was speaking and I had to explain it in much simpler terms.

Mr Dave Levac (Brant): What else is new?

Mr Wettlaufer: I know. That's right. I usually have to explain things in simple terms for you people, I realize that, member from Brant.

She talks about rhetoric. My heavens, talk about the pot calling the kettle black. Rhetoric is all that emanates from those benches on that side. I cannot believe some of the things that I hear from the benches on the Liberal side.

She says this is simplistic. No, it's not simplistic; the word is "simple." It is very simple legislation designed to achieve a very simple resolution to a very difficult problem, but one that you people in the Liberal Party and you people in the NDP never attempted when you were in government. That's all this is about. It's not that difficult; it's going to be achieved with this legislation.

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The Deputy Speaker: By unanimous consent we are returning to the member for Toronto-Davenport for the lead-off speech.

Ms Churley: Toronto-Danforth, Mr Speaker.

I certainly would thank all the members in the Legislature for giving me unanimous consent to take a break. I appreciate that very much and I'd like to specifically thank the member for—is it Leeds-Carleton these days?

Hon Mr Sterling: Lanark-Carleton.

Ms Churley: Sorry, Lanark-Carleton—for making that motion. There's a lot of cool air coming from the chamber back there, so I appreciated that opportunity. It also gave me an opportunity to perk up a little bit.

I heard the member for Kitchener Centre. I think the member for Lanark-Carleton said something to me like, "Your speech was more balanced tonight." I know he wasn't trying to suggest that maybe I should be feeling ill more often when I give a speech. In fact, that may be part of the reason why it's more balanced tonight. But the other reason is that although I have some problems with this legislation—I've outlined some of them and I'm sure others will be outlined and I have spoken directly to the minister. I liked his response. He agreed that the bill can be improved and I liked the fact that he said there will be public hearings. I have great hope that we'll use that opportunity in a constructive way.

I do feel that this is one of those bills where I don't want to be particularly confrontational and I was a little disappointed by the approach by the member for Kitchener Centre, particularly coming back again, over and over, to, "When you guys were in government, you did nothing and we have the only solutions to every problem in the universe and there's no alternative but to listen to what we say"—the mantra.

I don't think we need that kind of mantra tonight because it is provocative in a bill that we need to be

discussing in a way that the government listens with some respect, which is very rare, to the opposition. The minister has told me personally that he is interested in what we have to say. Every now and then there are bills that are extremely important to this province, to all of our ridings, although we have disagreements in what's been presented. I have very strong feelings about certain aspects of the bill. I know environmentalists have strong feelings about certain aspects of the bill and municipalities have grave concerns about the lack of partnership when it comes to funding. That is a reality.

For a member of the government to stand up tonight and say, "It's a complex problem but we've got a simple solution here that's going to work," doesn't make any sense whatsoever. This is a complex problem which needs a complex solution. It is not going to be easy. There are all kinds of levels of different contamination in these brownfield sites across the province. Let's face the reality here: the private sector will not do this all by itself. The private sector will cherry-pick. Nobody's arguing with that. They're out to make money. They are going to focus on the sites which are least contaminated, and they know they're the least contaminated. Even with the new liability aspects of this bill, that is the reality. Other jurisdictions understand that.

Once again, I would ask the government to look at what's happened in other jurisdictions that are ahead of us in this area and to see that some kind of fund has got to be put in place. There's absolutely no doubt about it. I believe anybody who looks closely at what's happened in other jurisdictions will understand that. We'll have to face that reality if we truly want to clean up brownfield land in our province, and it think we all do.

That is why tonight I wasn't my usual confrontational self. I know, it was very boring, wasn't it? I kind of hate it myself. But I think that there—

Mr Bisson: You kind of hate yourself?

Ms Churley: No, I wasn't hating myself. I was not enjoying the fact that I wasn't as bombastic as I usually am.

I do want to say in my last few minutes here very directly to the government members who are here that this is legislation that I am very interested in supporting, and I do want to say that I hope the suggestions being put forward by my caucus and by the public at large will be listened to. I know that the government had some kind of task force on this and I also know—and I did not hear from any of the speakers from the government side speak to it—that AMO suggested to the government that funding was an issue and a problem, and that has got to be acknowledged.

I also want to point out that—and in my view it's a really serious problem, it's connected, and the member from Kitchener talked about it when he was coming forward with the usual mantra that our government didn't do anything about it and the Liberals didn't do anything about it. But I want to say to the government, and this is very serious, that we have been living through some very prosperous times. Now, I know members of the

government will say that's because they're governing so well that they, and they alone, have created this wealth and prosperity. In fact, they've even taken credit for the good economy in the US. I don't know what's going to happen while that's going down, if the members of the government are going to, shall we say, take credit or responsibility for that, and, as the economy here starts to fall a little bit, "Well, I wonder how that happened?" We know what happens: it comes in cycles, and that's the reality.

What is disappointing is that we have been living through very prosperous times, and those are the times when governments need to be investing in things like infrastructure, because you know darn well it's not going to happen during bad times. We, the NDP, did invest in infrastructure and affordable housing and all kinds of other things. We chose to do it, and it was that party there, along with the Liberals at the time—but particularly the then third party, the Tories—who went after us daily for spending money at a time of recession and daily asked us to stop spending the taxpayers' money during a recession. "You have to cut back; you have to cut back; you have to cut back." We did choose to invest. We invested as much as we could. We invested in unprecedented ways, for instance, in the Ministry of the Environment when we came to power. We built that ministry up higher than it ever had been before. We made a choice to do that.

In my view, it still wasn't enough. I kept fighting for more protection; I admit that. I would like the members to know that even when we were in government and in a recession, I continued to fight in my cabinet, fight my government, for even more investment in the Ministry of the Environment. I'm quite sure the previous Minister of the Environment, Jim Bradley from the Liberals, did, and I expect environment ministers in this government do, because once you start understanding the connection between our environmental protection and our health, you understand that you have to have a strong Ministry of the Environment with the proper resources. That's something we chose to do even in a recession.

But now we've got a government that's been lucky enough to govern during very good times and to not invest in that infrastructure—and there he goes. The member for Durham is laughing at that. I can just see his two-minute special—

Interjection.

Ms Churley: That's OK. I take it back if he wasn't laughing at it. I take it back. He wasn't laughing at it. Apparently he was laughing at something else.

Mr John O'Toole (Durham): I wasn't even listening to you.

Ms Churley: He wasn't even listening to me, so it's OK.

Some members over there will respond to what I just said, when I say that they've been lucky enough to govern during good times, with, "It's not luck. We're the ones who created that wealth." I must admit the member for Durham would be the first one to say that.

After we finish debate on this—and I think it should be a good debate—I'm looking forward to public hearings across the province. I'm looking forward to the ability for all of us from all three parties to go out not just here in Toronto but across the province to hear from municipalities, to hear from mayors, to hear from the developers in the private sectors, to hear from the environmentalists, to hear from those who have experience in their own jurisdictions who can give us advice on how we can best improve this bill.

I believe the bottom line for all of us in this Legislature tonight, despite our disagreements about what is or isn't in this bill, is that it is imperative that we move ahead with finding ways to develop brownfields. That's why I say to government members tonight that I'm taking the position that I want to support this bill and my party would like to support this bill. We are unhappy with some aspects of it now but, as I said, the minister has also agreed with me that there are some areas for improvement.

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It's not often in this place we can stand and make a decision that we'll try to work together. I'm sure it will get partisan at times; things always do in here. But we can try to work together to improve this bill and make sure at the end of the day that we get out there and for the first time in quite a while find a way to start developing these brownfields so that we don't continue to have more and more urban sprawl and so that pressure to build on our farmland will be alleviated by the ability to develop on brownfields. We'll continue the debate and go out to public hearings and we'll go from there.

Thank you for this opportunity.

The Deputy Speaker: Questions or comments?

Hon Brad Clark (Minister of Transportation): It's my privilege to have an opportunity to respond to the member for Toronto-Danforth. I'm glad she is taking a non-partisan approach to this, because this is a very important issue for the province of Ontario. It's one that I take very seriously in my community of Hamilton. Brownfield development is something that is vitally important to that community. There have been millions of dollars' worth of property sitting there not being used because of risk of liability, environmental and otherwise.

She does mention the issue of funding. I've heard from a number of municipalities that they have some concerns about the funding also. The one thing I want to encourage the member to remember is that back when she was in government, there were issues with the federal government where they were trying to get funds out of the federal government for a number of things and the feds simply didn't come to the table.

The member for Toronto-Danforth did mention the United States in her address at least once or twice, I recall, some of the issues they are dealing with. In the US there is a Superfund model. She's nodding. She's in agreement; she understands. The Superfund model is where the federal government is at the table. So not only should the province and the municipalities be partners in

this, but the federal government has to be at the table. I sit here as the Minister of Transportation and I recognize we have about a \$17-billion deficit nationwide for highways and transportation from the federal government. In the US, \$250 billion is given out to the municipalities, much of it for brownfield development.

So we have a long way to go, and I would encourage all parties, in the spirit of co-operativeness, in the spirit of non-partisanship, to encourage our federal government to recognize that they have a role to play in this too. They have by far the larger purse and we need them at the table, perhaps providing some of the funds for the brownfield development. The municipalities very clearly are sending those signals forward, and I think that's a good thing, but I also think it's important that if there were some unanimity in this House, it would probably send an even stronger message to the feds.

Mr McMeekin: I'm pleased to add my voice, albeit for just a short period, to the wonderful remarks that have been made from several quarters here.

The member for Toronto-Danforth has talked about some of her hopes. We heard earlier from the member from Kitchener, who waxed on, I thought, in quite a moving way about his daughter and his hope for future grandchildren who could benefit from the clean, healthy, dynamic neighbourhoods and communities that he was fantasizing about, and the importance of getting that sorted out. I was touched. He almost had me convinced at one point that it was going to work. Then the finger started being pointed again. You don't point direction; you point fingers, right? That's the partisanship that my colleague from Toronto-Danforth was working so hard to try to avoid.

The minister himself acknowledged that the bill was in need of some improvement. I think he was suggesting that none of us in this House has a particular monopoly on truth or that we're necessarily always on the side of the angels. There are some improvements that can be made. The minister said, "Offer up some alternatives." We did the other day, and I'll just recall a few of them.

First of all, I think we need to demystify SuperBuild. Nobody understands it. They don't understand the rules. It would have been much better had the government come forward with a proposal for some kind of heritage reclamation project.

I think also the government needs to revisit and reread very carefully the recommendations of both its own task force and the AMO task force: a couple of suggestions—

The Deputy Speaker: Thank you.

Mr Bisson: Just a couple of points in response to some of the comments I heard where government members go on and say, "Oh, you were government from 1990 to 1995 and you did nothing. You sat on your hands and did nothing for five years on this issue."

I was a member of the government, Mr Speaker. I come from northern Ontario, as you do, and one of the large issues we have to deal with when you talk about brownfield development is what's happened in the mining industry. In our area it's not steel mills, it's not

auto plants. It's not those types of operations that we deal with; we deal with gold and copper mining. One of the things we did is pass the mine reclamation act, which did a couple of things.

Rather than trying to clean up the problem after the fact, we took a two-pronged approach. We set in place legislation by way of the mine reclamation act to make sure that mining operators, as they put their mines into operation, had decommissioning plans and, more importantly, that they had the dollars set aside to make sure they had the money for the cleanup. If they didn't, there was a set-aside fund that the province then would be able to use to go back and do the cleanup, something the Conservative government did away with under the megabill that was brought in in 1995.

The other one has to do with the Crown Forest Sustainability Act. I was a member of the government that, under the leadership of Howard Hampton as Minister of Natural Resources, put in place the Crown Forest Sustainability Act, which said that forest companies, among other things, have to have set-aside funds to make sure that if they don't do what they should be doing when it comes to reclamation, the dollars are there for the province not to be held on the hook. So for the government to say we did nothing, excuse me, is a long stretch. We had both a proactive approach and also the approach of making sure the dollars were there, not necessarily just at the taxpayers' expense. That's something I'm quite proud of. I don't need to be lectured by the government members saying we didn't do anything, because we did far more than you did.

Mr O'Toole: I spoke at some length on Bill 56 last week, but out of respect for the member from Toronto-Danforth, I'm heartened by her comments of support, more or less. She said clearly on the record here today that she would like to support this as a way of moving forward. I commend her for that. It takes courage to set yourself apart, rather than just following along with the pack. I'd say probably it's the first time that I've respectfully responded.

When I was on council, this same issue of the brownfields and ways of strategizing around it was ahead of us, and no one had the courage. Certainly, I haven't heard anything from the Liberals. Of course, you never do. But at least you hear it from the NDP from time to time, a glimmer of hope. I think it's important and it is encouraging.

What you're really trying to find is that ever-elusive balance to do the right thing for the environment but also to do the right thing for municipalities, to give them the tools so they can solve their own problems without the legislative hammer—sort of like the social contract hammer—to solve all the problems. I think there are tools here.

I think if you want to look for some detail, under part VII, the Planning Act amendments provide that municipalities may make grants or loans to tenants as well as property owners for the purpose of carrying out community improvement plans. So it's right there that they can work out some arrangements and partnerships.

I want to be on the record as supporting the member for Toronto-Danforth—as, I think, the member from Stoney Creek, a minister, one of many ministers here tonight, as a testimony to the importance of this debate. Thank you for your support. We look forward to working with you in the next election.

The Deputy Speaker: Response?

Ms Churley: I'm wondering, what have I done here tonight?

Mr Levac: You're in trouble.

Ms Churley: I know. I think I have to take it back, although the member for Durham's non-partisanship seems to only go so far.

The key issue here is moving forward, and we're all agreeing on that. But I want to remind the members—and it's important to remind the members here—that the concerns I raised tonight should not be taken lightly. They are really serious concerns that we're going to have to deal with.

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We haven't talked a lot about it, but some environmentalists are very concerned about the site-specific risk assessment. We haven't had an opportunity yet to hear from them and to hear the reasons why and what might be done about it. I think in many ways it's a good approach, but there are some issues and problems around that as well that we need to look at.

I would say that overall the public is generally supportive of moving forward with this. They are not terribly engaged in it, but should we do it all wrong, because it is a complex situation, and end up with, God forbid, another Love Canal, which is a reality that happened in the United States that we have to be aware of as we move through this, that some of the land we're talking about is extremely contaminated—those are very serious concerns that I'm expressing. The government, given its environmental record, makes them somewhat vulnerable—I would say quite vulnerable—when we're talking about issues such as this.

I just want to remind members, as I speak not supporting the bill tonight but hoping to do so, that the issues I raised are very serious concerns that need to be addressed.

The Deputy Speaker: Further debate?

Ms Di Cocco: I am pleased to rise and speak on Bill 56, this brownfields legislation. It's important, first of all, to know that, because the legislation is before us, at least the government recognizes that there is a problem with contaminated industrial sites throughout this province. Often, these sites are near lakes and rivers as well. I can speak in the context of my own riding, because 40% of the chemical industry in Canada is located in Sarnia-Lambton and we certainly have a number of brownfield sites that need to be dealt with.

One of the things I've done as I became an MPP is to understand how industry is dealing with some of their sites and also to understand the role of the environment ministry when it's expanding landfill sites. The problem I have with this legislation, and I've said it before, is that unfortunately it seems to me that it's designed to assist

municipalities in reclaiming the sites but it provides absolutely no assistance in their ability to clean them up. They say they can give tax incentives, but these tax incentives of course come out of the municipalities' pockets, don't they? They don't come out of anyone else's pockets.

I believe when it comes to brownfield sites, they are the responsibility of all levels of government and I believe that a partnership is what we need to have. Partnership doesn't just mean to divest the responsibility to do something to the other level of government; it means not only to be at the table with them, but also for the different levels of government to provide assistance. The government keeps saying, "You have to take responsibility. You have to pay for it and we're going to allow you to pay for it." That seems to be the style of the government that we have and what this legislation unfortunately seems to do.

I'm very much concerned about the state of the environment in Ontario because the track record we have in this province is abysmal, in my view.

One of the things that is a contradiction to this whole brownfield legislation—and I say this only in an attempt to understand the process that the government uses. I'd like to know if the government has done any kind of analysis, some kind of inventory of where the brownfield sites are—I don't think they have; my understanding is they have not—and prioritized where they are and which ones have to be cleaned first. There are some very serious areas that need to be cleaned, but the analysis isn't done. All we say is, "Well, there are brownfield sites out there and somehow we'll allow municipalities to reclaim these sites if taxes aren't paid and let them carry on with the responsibilities." But again, the government has done no analysis, in my view. It certainly hasn't prioritized what should be cleaned up first. And it definitely isn't developing a partnership; it is downloading a responsibility.

I'd like to speak to the issue of what has actually happened when it comes to the development of brownfield sites. I mean development in how we've created some, and I'll say in my own riding. I want to talk about the way the government, in 1997, allowed for a toxic hazardous landfill to be expanded in St Clair township. They allowed it to be expanded under what I would call a fast-track process, so that now we have 300 acres of toxic hazardous material, most of which is being imported from outside the province. Some 90% of it is coming in from outside the jurisdiction.

By the way, if you take a look at the checks and balances there, they asked the company to put up very little money for remedial. They didn't take the approach that the business and the industry also had a responsibility and therefore they should at least put up funds to clean up their act once they leave.

Here again we have a government that is talking out of both sides of their mouth, because they're saying, "We really need this brownfield legislation now," but they acted in 1997 in such a way, at least in my riding, that they've created a huge site, fast-tracking it, and it's all toxic hazardous waste.

The other area that I find incredulous is that they just allowed this site to be self-monitored. They didn't even put an inspector there, the way they would put one in every other large landfill across this province. I ask myself often, why would they do that when this toxic landfill is going to have a huge impact on the groundwater?

I have read the review of that document of when they allowed this landfill to be expanded. They allowed it to be expanded under criteria called "opportunity"; not under the criteria of "a problem to be solved," but under the criteria of "opportunity." It stated that it was an opportunity for the company to expand its market share. We're talking a toxic hazardous landfill, not to be developed because we needed to resolve a problem in the province or in the jurisdiction, but to allow the company to expand because it would provide a greater market share for that company, in other words, to be able to bring in more toxic hazardous waste faster and in a greater amount.

You'll have to excuse me if I question the intent of this bill, because, again, I say we have legislation that is appearing to do something. In that context, I have a great problem in supporting this kind of legislation, because the government is not taking responsibility in assisting the municipalities; it's just telling them that they're allowed to do it. That relationship, in my view, is not a relationship that's going to be productive and I don't think it's going to have the outcome that I certainly would like to see across this province when it comes to the cleaning up of our brownfields.

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One thing I have done, as I said, is gone to a number of our local industries. I've met with Nova, Shell, Imperial Oil and Dow Chemical, a number of them, to understand what they're doing, how they do business and what philosophy of doing business they have. Dow Chemical has an incredible project with their environmental engineers in developing a wetland area where there was a hazardous site. They have been able to do it without any kind of government initiative. They have researched various plants that they have planted on this site and it is quite remarkable what has been done. If we're talking about ideas for the government in the development of brownfields, why is it that they do not partner with some industry that's doing some remarkable work when it comes to cleaning up?

Sometimes you can only rehabilitate; you can't actually clean up some of these landfills. I believe Minister Sterling said, "The reason we're bringing in this legislation is to comfort the financiers and the developers." I don't quite understand what he means by that because the cleaning up of brownfields is not to comfort but it is actually to create a landscape and a livable area, one would hope.

It's amazing to me that after six years in government, there has been no discussion about working with companies that have done groundbreaking work in development of hazardous sites. Again, I will use the word "remarkable" for this work in redeveloping and rehabilitating the area.

The government has sat back silently and has neither dealt with these companies in a way that says, "We should use you as a model and maybe we should provide you with some tax credits, because you're doing what is environmentally viable here," nor encouraged companies to take the responsibility in cleaning up their mess. Instead, what they do is divest themselves of their responsibilities and introduce legislation that in my view is a first step, because they admit there is a problem, but once again it is appearing to do something.

We have a company called Welland Chemical that has abandoned their site locally for numerous years. They owe hundreds of thousands of dollars of taxes to the municipality. They've abandoned the site for two reasons: they don't want to pay their taxes and it's too expensive for them to clean it up. The municipality has called on the environment ministry and on the Ministry of Municipal Affairs to assist in talking to these people or at least to come to the table to discuss what we should do here. The province literally washes their hands of that responsibility.

We're now going to go into the Olympics. We're hoping to get the Olympic Games and therefore we want the 4,500 hectares of brownfields in Toronto, in the lower Don River and portlands, to be cleaned up. There is a very specific reason that the government wants to have these sites cleaned up so that they can be redeveloped, and they want to be a part of that process.

The rest of the province has hundreds, probably thousands, of brownfield sites that need immediate remediation, that need immediate attention, yet we don't have the will, or I would say the Harris government certainly doesn't have the will, to even get an inventory of what exists out there. You've had six years. Why is it such a huge problem to get an inventory? "These are the hot spots we have in this province. Now let's put a plan together how we can systematically clean them up." But no, there's no plan here; there is a bit of an appearance of attempting to show that they're doing something.

The redevelopment of brownfields, as you know, is very expensive and there is a strong concern that the tools included in Bill 56 are insufficient to encourage development. Not only that, there are many of these areas that will never be developed. I think that is something this government has to understand. It's very easy to give approval to expand a toxic hazardous waste site; it's not so easy to clean up the mess. When you see that kind of record or, I would suggest, an almost irresponsible approach to allowing expansion of a toxic hazardous waste dump, as I have in my riding, I question the government's intent in producing this legislation.

In addition to local communities that may wish to use these sites for public spaces and buildings, the municipalities alone wouldn't be able to afford the cost of these developments. I think it's unrealistic for you to expect them to be able to afford this.

The other issue here, too, is that the bill doesn't really include any protection for the new land purchasers from civil suits, nor does it include protection for officers and directors of corporations that develop or finance the

development of brownfields. So there isn't that much of an incentive to develop these brownfields.

I believe that the key elements in this bill are that—again, it's a good thing. I presume that the sites would be reviewed by the MOE staff and the landowners, and that they would provide a site risk assessment. My question is, if we don't even have enough Ministry of the Environment staff now to do the job that's required today, what are we going to do? Are you going to hire? Are you going to add more people to the Ministry of the Environment? First of all, there's no deadline. There would be no timeline for the MOE to complete these reviews, but nonetheless you're saying the MOE staff are going to do a site risk assessment.

You're so understaffed in your Ministry of the Environment. For instance, we had a benzene spill last December in my riding, over a million litres of benzene. The Ministry of the Environment said it will take them two years to give a report. Therefore, I suggest that this bill is not realistic in the Ministry of the Environment's role in ensuring that the sites are being cleaned up properly, to ensure that there is a risk assessment that's effective, because I certainly wouldn't want to see development of a huge area only to find that the contamination of that site hasn't been cleaned up appropriately and then to have all kinds of problems coming back after the fact because we haven't had the staff to properly assess and to properly carry out the job.

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Again, I believe that if we're going to bring a bill and we're going to clean up our brownfields, we do have to have partnerships with all the different layers of government and with the private sector, and I believe that those responsibilities have to be on all those fronts. If we don't take those credible steps, you can't just write legislation that says we're going to allow municipalities to take more control but at the same time say, "You do what you need to do, but you pay for it," because the funds and the ability are just not there.

The Deputy Speaker: Questions or comments?

Ms Churley: I'm happy to respond to the comments made by my colleague from Sarnia-Lambton. One of the points she makes, and we repeatedly make this point tonight, is the funding issue. One of the possibilities we should look at is a special and well-staffed unit in the ministry to at least conduct random audits of sites before permission is granted to proceed with the work. I want to stress that this unit should not be funded by reducing commitment in other parts of the ministry and that this would be essential. That suggestion being put forward by me tonight is something that, again, we need to look at during the course of hearings. That will be absolutely essential for this to work; otherwise, we could end up with very, very serious contamination problems down the road.

The other thing the member touched on, which I did as well, and other members, is the need for funding. I think we're all agreeing with this, that we're not just talking about the provincial government here but we're also

talking about a partnership with the federal government, which as noted has been done by other jurisdictions, particularly in Europe and the United States. The only way that any jurisdiction has been able to get at this very difficult, very expensive and very complex problem is for all three levels of government to come together and form a partnership and come up with some kind of special fund.

Those are two key areas that we need to talk more about: the partnership between the three levels with funding and the need to find a way within the Ministry of the Environment to make sure that kind of work is done properly.

The Deputy Speaker: Questions or comments?

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): It is a pleasure to join in the debate on the brownfields. I am very thankful, I guess, that the members opposite seem to be agreeing that this is an important bill. It does give the authority as well as the partnership with the municipalities, because it does happen that from time to time that the industries develop and, as the demand for the product is there, they expand. If the demand is not there, unfortunately sometimes the factories have to close. It is very important that we allow the municipalities, in partnership, to be able to clean up those sites so we can revitalize our growth, if you want to call it that.

I know we are out there getting proposals, getting comments from the public. Even in Saturday's paper, I believe, there is a call for the citizens to get involved or get engaged, and that is for Ontario Smart Growth, because we do want to hear from the public. Contrary to what the opposition sometimes says, that we don't hear enough, we are holding all kinds of public hearings, and even on this bill, as you know and as we discussed, we agreed that there will be public hearings. We do encourage people to get involved. I think by June 18 we're looking for people's comments and they can certainly get in touch with the proper authorities. I'm going to mention the Web site: www.smartgrowth.gov.on.ca.

We are out there always soliciting good input from the citizens on how best they want to see Ontario coming up in the next 10, 15, 20 years for themselves and for their children so that we can be great partners. We want to continue, as we have done in the past, to make this the best place in the world.

Mr Bradley: I think the member for Sarnia-Lambton recognizes that certainly it is desirable, if we can, to redevelop, as I'll call that, the brownfield sites, but I think she's right in cautioning people about the great difficulty in doing this.

Just so nobody is under an illusion that it's going to be an easy process, by the time you look at all of the contaminants that are there—I remember being told once by somebody very important in this province that my problem was that I didn't understand the macro issue; I only understood the micro issue. I said to this very important person in the province, when I was in a discussion about a piece of land that was going to be redeveloped, "The only thing that's going to be macro is

the cost once you're finished trying to redevelop that land." I hated to be right on that particular occasion but it turned out to be the case. So I caution on that.

There are other situations I look at, and those are places like Port Colborne, Ontario. It's been in the news lately, because there's a section of Port Colborne which is immediately adjacent to the processing of metals that takes place there. Sudbury has the same situation. We have people now who live on land which I think most people would concede objectively is contaminated land. We have houses which have the dust of that material inside. There is a model for that. It's the Niagara neighbourhood in Toronto, the south Riverdale neighbourhood in Toronto, where the soil was scraped far deeper than the civil service thought it should be and where there was what I call an industrial cleaning of the inside of those houses. It seems to me that we may have to go across this province, look at the inventory of land and move people out of those houses until the land can be reclaimed.

Mr Mazzilli: It's certainly my pleasure to speak on Bill 56, the brownfields act in this short session. I will be speaking for approximately 20 minutes or so coming up.

I know the other night I had the opportunity to do your job, Speaker, and a difficult job it is. I got an appreciation for it in the few short minutes that I had that opportunity. You do get challenged from different directions, and you do have to be decisive and make some decisive decisions. Those decisions have to come spontaneously. You have to be ready for whatever comes at you from many directions. So I know that you do have a challenging role.

In relation to his legislation—and as I said, I will be speaking on it for 20 minutes, so there's certainly no shortage of time to get into the issues—we heard from the member for St Catharines. I'm glad that the now Minister of Consumer and Business Services got into this. This is an issue that has been facing several different governments, including the Liberal government of David Peterson, the Bob Rae government and now ours. It's an issue of brownfields. We all have them in our communities. Perhaps we call them different names in our own communities, but in their technical form we know them as brownfields.

What are they? They're lands that are contaminated, that no one will touch because of the liabilities that are associated with them. Although this legislation does not address all of the issues, it's certainly a step in the right direction in starting to move the dialogue on how we use these lands that are now sitting there doing nothing, and how we get some use out of them and allow some people to access them.

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Mr Levac: On a point of order, Mr Speaker: Unfortunately, the member for Sarnia-Lambton had to exit the House immediately and asked me if I could do the last two-minute roundup for her. I seek unanimous consent to do that.

The Deputy Speaker: The member for Brant has asked for unanimous consent. Agreed? Agreed.

Mr Levac: I'd like to say thank you to the House members for allowing that to take place. Unfortunately, the member had to exit the House quite quickly, so thank you for that opportunity. She did ask me to convey a couple of quick ideas to you.

The brownfields issue in her municipality, as in my municipality, is very serious, but we wanted to make sure everyone realized that municipalities across the province have been working on brownfields for many, many years and asking for those partnerships to take place. So the challenge today from the member for Sarnia-Lambton, and I would suspect from all the members here representing their own constituencies, is to ask the provincial government to step up to the plate.

I have to tell you something about my own riding. We've just gone through on a declared brownfield site, for the fourth time, an arson fire that took Northern Globe down to the ground again. Quite frankly, this is a situation that we've asked the Minister of Municipal Affairs to assist us with, and he does have the letter present. He acknowledged to me today in the House that he does have that letter and will try to help municipalities overcome these very difficult situations, particularly in the sense of the liability issue.

Quite quickly, just to wrap up, the member for Sarnia-Lambton also has two or three of these types of sites in her riding. She did want to make sure that everyone was aware that with the help of the provincial government and indeed, as one of the members on the other side said, with the help of the federal government, these things can be resolved. She does acknowledge that it's a complicated issue and that we have to have all levels of municipality and private sector come to the table, yes, with their wallets open, to make sure that we can recover these lands.

Finally, the last point that she asked me to relay to you is very simple: the provincial and federal government have pocketed hundreds of millions of dollars in taxes over the years from these derelict sites. It's time to put some of that money back into this situation and correct it for all of us.

The Deputy Speaker: Thank you. Further debate?

Mr Mazzilli: I promised you just a few moments ago that I would be back, and I am. As we left the debate on the brownfields statue act, most of us certainly are—

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): The Brownfields Statute Law Amendment Act.

Mr Mazzilli: And that's the amendment to the act, as the Chair of Management Board correctly pointed out to me.

Most of us know brownfields, as I said earlier, in our communities, and most of the time we don't know what they are. Earlier through this debate I suggested, and not properly—I was speaking out of turn and perhaps heckling—that Petro Canada has many sites in many of our communities and these sites have been for sale for many years. We drive by them every day. I'm not trying to pick on Petro Canada for any particular reason other than that

the federal government owns a certain percentage of that company, I believe. These lands have been for sale for many, many years, and no one will touch them. Often they're valuable pieces of property. You wonder, as you're driving by them, why these lands are not being sold to businesses that normally will locate at those particular types of corners. As you check it, you find out that no one in their right mind would touch those lands because of the liabilities associated with them. When lands are contaminated, certainly not a person wants to purchase them, let alone be liable for what may have happened 100 years ago on those lands.

The other thing we know is that no one will finance those lands. We heard the member for Kitchener talking about financing. How do you move ahead and get financing in place, no matter what you want to do with those lands? Perhaps you want to build affordable housing. How do you build affordable housing—the member for Toronto-Danforth is nodding, as I'm sure she would like to see—if no one will give you the financing because they're concerned about the associated liabilities of what potentially may happen down the road because they know of the previous land use? These are all real issues.

Let me say that there are different levels, because there are some government and corporate people who are not treating this issue fairly. All levels of government own, to some extent, these lands, whether it's the federal government or provincial governments through shares of crown agencies, and they should clean up their lands. They should. I say that with no misgivings. And some of the multinational companies deserve to clean up those lands.

But at the same point, there are some of these lands that have been left in place and no one clearly knows who the owners are. You hear stories in different communities about some former company that was there 20 or 30 years ago. The company is gone, has long been dissolved. The lands are just sitting there without a clear owner on the title. In some cases, whoever financed the property is arguing that, no, they're not on title. They are just the mortgagee, so they don't own the land. So they get dragged into this long legal debate about who owns the property, and they clearly never did.

Until we get through some of these issues, we will never resolve some of the issues on brownfields. I think that's what this legislation is intending to do. It's intending to start the debate on how we address these problems.

As I drive through London, I see some of these lands that certainly have enormous value because they are located on corners where per acre cost is high; then in other areas, it's not. But in those other areas, perhaps parking is required. What happens is, you see a fence around some of these properties. They can't even be used for parking. Somehow you can park on the lots adjacent to the fence and that's safe, that's OK, but no, you can't park on that land. As an average Ontarian myself and not being deep into this issue, I just don't see the relevance of that.

Today I was listening to the member for Renfrew-Nipissing-Pembroke, and he spoke about the relevance of politicians and how we're having no relevance out in our communities because of the positions that we take on certain issues. It's either yes, you're for it, or no, you're against it.

Early into this debate, the Minister of Consumer and Business Services suggested that this is not a partisan issue. This is an issue that we need to start somewhere on, and this is a good place to start. How do we move it forward? How do we get some of these lands developed or even used? How do we limit the liability so that someone will actually make an attempt to do something with some of these properties? If not, if we think that somehow we're going to have more relevance to our constituents by doing nothing and allowing these fences to stay around these properties, I would say we're sadly mistaken. Our constituents are looking for us to come up with some solutions for these things, as imperfect as those solutions may be, but as perfect as we can make them.

While we're on the issue of relevance to our constituents, I want to compare this, because we're debating this bill, to the school tax credit. There are comparisons, and you'll see them as I get into it.

Politicians of all different parties want to jump on the bandwagon in one way or another and say, "Yes, we're for this," or, "We're against this." If you're against, you want to embellish the situation. It bothers me that Dalton McGuinty has been calling our tax credit a voucher, because clearly it's not. If you look at the definition of a voucher, of what a voucher really is, you take your tax dollars and you direct them to whatever school you want. That's not what's happening here. What's happening here is that the Mike Harris government is committed to publicly funded education. Almost \$14 billion a year is committed to public education. We believe a publicly funded system is the only system that should occur in this province, and we make that commitment.

I would draw the comparison to this legislation. You see, the tax credit—again, just responding to the member for Renfrew-Nipissing-Pembroke—is just that, a tax credit.

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There are many different tax credits in the Income Tax Act, and certainly there's nothing wrong with giving a small percentage in the way of a credit to parents who choose some other type of religious school, as there is no harm in our approving this type of legislation that would limit liability to some people who are willing to develop brownfields and to those who choose to finance properties and developments that are going to be developed. It's the same argument as the tax credit. There's nothing wrong with allowing, in good conscience, the debate to move forward with different kinds of ideas to do these things.

I would join the member for Renfrew-Nipissing-Pembroke in saying that I agree with him. As long as we take these attitudes that, no, the world is collapsing

because you have come out with this policy, we are not going to have any relevance with our constituents. I think our constituents are very open-minded on all these issues. They want to hear us debate. They certainly don't expect that we're all going to agree on every issue, but they don't think that all sides of the House are going to disagree.

I intended right from the beginning to share my time with the member for Waterloo-Wellington, and he had been delayed because he was working hard for his constituents. I know a sad matter came up in his riding and he had to attend. I would now like to turn over the debate to the member for Waterloo-Wellington.

Mr Ted Arnott (Waterloo-Wellington): It's a privilege to rise this evening to speak on behalf of my constituents in Waterloo-Wellington on Bill 56, An Act to encourage the revitalization of contaminated land and to make other amendments relating to environmental matters, that stands in the name of the Minister of Municipal Affairs, who I'm pleased is present with us tonight.

This government is moving forward with its Smart Growth vision. The Brownfields Statute Law Amendment Act, 2001, is a key piece of that vision. Redeveloping brownfields supports three principles of Smart Growth: a strong, efficient economy; strong neighbourhoods and communities; and a clean and healthy environment.

Brownfield redevelopment supports Smart Growth by allowing more efficient use of existing infrastructure and services like sewers and public transportation. Promoting the recycling and reuse of brownfields will allow communities to improve their quality of life and better protect their environment. By encouraging brownfield redevelopment, Bill 56 will help us to foster clean, healthy, dynamic neighbourhoods and communities that all Ontarians want and deserve.

I am pleased to have this opportunity to highlight the tremendous environmental benefits of this government's proposed brownfields legislation. Almost all Ontario communities have brownfield sites within them, a legacy left over by decades of inaction by previous governments. Brownfields are lands where industrial or commercial activity took place in the past that are now often contaminated.

First and foremost, cleaning up these sites improves soil and water quality and protects human health by removing contaminants. Cleaning up contamination now also benefits future generations as it prevents future environmental problems. Without this legislation, many brownfields would remain contaminated and continue to pose a threat to the environment and human health.

The Oak Ridges Moraine Protection Act, 2001, announced May 17, also demonstrates the government's commitment to Smart Growth. Brownfields redevelopment can relieve pressure to encroach on environmentally sensitive areas of the Oak Ridges moraine as well as farmland and greenfield sites. Brownfields are usually located in well-served areas where infrastructure such as sewers and public transportation already exists.

In greater Toronto and greater Hamilton, it is estimated that 10% to 15% of available lands for development are brownfields. Any way you look at it—environmentally, economically or for revitalizing communities—it only makes sense to recycle and use these lands first. Bringing abandoned commercial or industrial sites in the heart of Ontario's towns and cities back to life can preserve unused lands in the suburbs and rural areas and create new opportunities for people to live and work in a well-developed and relatively clean urban environment.

Mr Speaker, these opportunities are not being realized today because the current legislative framework makes it difficult to clean up and redevelop these sites. Over and over, we have been told that the prime barrier to widespread brownfield redevelopment is environmental liability. Financial institutions and developers are often reluctant to invest in these sites. They are concerned about their potential liability for future environmental problems.

Currently the liability net is very broad and retroactive. Everyone with any involvement with a site risks being 100% responsible for contamination and could be issued an environmental order for cleanup even if they did not cause the contamination. This liability carries with it significant financial implications that discourage many who would otherwise voluntarily clean up contaminated sites.

We have listened to those involved with brownfield sites. Clearly, limiting environmental liability will encourage voluntary cleanup of contaminated sites. Checks and balances must be put in place to ensure environmental cleanup standards are met and that the people of Ontario are protected. Bill 56 sets out an environmentally responsible approach to cleaning up brownfields.

First, I'd like to tell you what this legislation doesn't do. It does not in any way alter the Ministry of the Environment's ability to issue orders, to address an emergency or to take strong action against polluters. This includes those who cause contamination of soil and water. The ministry will also continue to take strong action to address off-site contamination and new contamination. It also doesn't displace the current liability net outlined in the legislation. It merely clarifies the liability rules for those who voluntarily clean up a contaminated site. This proposed statute maintains the principle of "the polluter pays." And make no mistake, polluters will be held accountable.

I turn now to what the proposed legislation does do. It provides clarity and certainty to those involved with brownfield sites. Changes to environmental legislation focus on three main areas: clear rules for environmental liability; clear rules for the cleanup of contaminated sites, and mechanisms to ensure quality cleanup. In addition to clarifying environmental liability rules, the proposed legislation also clarifies the rules for assessing potentially contaminated sites and cleaning up those sites that need it. It also puts in place provisions to ensure site cleanups are conducted properly and to ensure public accountability for those involved in the cleanup.

The proposed legislation limits future environmental liability through providing protection from future environmental orders in certain circumstances. Limited liability would apply, for example, to municipalities when taking action related to tax sales or other municipal responsibilities; secured creditors when taking action to protect interest in a property; persons conducting environmental investigations and owners who follow the prescribed site assessment and cleanup process, including using a certified site cleanup professional and mandatory reporting to the public site registry.

Municipalities, developers and investors realize the potential of brownfield sites. These proposed legislative changes create a win-win situation that will encourage municipalities and the private sector to develop and revitalize these sites. Limited exposure to future environmental orders is complemented by clear rules for assessing and cleaning up brownfield sites to ensure both the environment and public health are protected.

Environmental standards for site cleanup will be stronger in that they will now be regulated and have the force of law. Site assessment will now be mandatory when industrial and commercial sites are being redeveloped into sensitive land uses such as houses and parks. If contaminated, the sites will be cleaned up prior to their redevelopment. The requirements for conducting site assessments will be prescribed in regulation.

Finally, the proposed legislation will assure high-quality cleanups by requiring that site cleanup professionals be certified and by requiring mandatory signoff on site cleanups by certified professionals. These measures will ensure that the site meets the required environmental standards. Mandatory reporting of site assessment and cleanup to a public registry will ensure the public's right to know. The proposed legislation demonstrates this government's commitment to building cleaner, more prosperous communities.

The proposed legislation builds on Ontario's considerable expertise on cleanup processes and standards. The provincial government was the first to take action on brownfields through the release of cleanup guidelines in 1996. We are now giving the guidelines, processes and standards the force of law, clarifying the rules and establishing strong standards to ensure environmental quality and the future health of our citizens.

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The government held extensive consultations on this issue over a two-year period. Bill 56 incorporates many of the recommendations of the advisory panel appointed by the government in September 2000. The panel brought together some of Ontario's leading experts and most experienced practitioners on brownfield issues.

This government was the first to introduce a process and a set of tough environmental criteria for site cleanup in Ontario. Introduced in 1996, the Guideline for Use at Contaminated Sites in Ontario outlines methods for assessing the environmental condition of a property, options for restoring a property, as well as soil and groundwater cleanup standards for a wide range of

metals and other contaminants commonly found at contaminated sites. Bill 56 builds on the guideline to provide clear, regulated processes and strong standards.

The proposed legislation is just one instance of steps taken by this government to encourage and strengthen both environmental and human health protection.

Ontario is also moving forward on preventing contamination or pollution. Pollution prevention has long been recognized as the best way to protect the environment. In order to become a world leader in sustainable development, this government is moving forward beyond enforcement measures to offer a wide range of regulatory and non-regulatory tools, incentives, benchmarks and educational opportunities.

The Ontario Initiatives in Pollution Prevention — Progress Report 2001 shows that pollution prevention is working in Ontario through partnership and voluntary actions. The progress report illustrates how the government's pollution prevention programs have kept tonnes of pollutants out of the environment and how millions of dollars have been saved in the process.

In conclusion, Mr Speaker, clear rules and certainty mean that more sites will be cleaned up across Ontario.

The Brownfields Statute Law Amendment Act, Bill 56, is an important part of our government's Smart Growth strategy. Without it, many brownfields would remain vacant and unused. Many sites would remain contaminated and would continue to pose a threat to the environment and public health.

The proposed legislation balances the incentive of limited environmental liability with stronger, clearer rules for cleanup and strong quality assurance measures. I would encourage all members—

The Deputy Speaker: Thank you. Questions or comments?

Mr Bartolucci: I'm happy to respond to the members for London-Fanshawe and Waterloo-Wellington. I thank them for their comments. Although I don't agree with everything they said, they did present it in a very succinct manner, and I thank them for that.

I invite both members—in fact, I invite anyone in the House—to visit Sudbury if you want to see a success story with regard to healing the landscape. I would suggest to you that the re-greening of Sudbury, which took place over the course of several years, is an example for this government to follow with the process, and an example for any area in Canada or the world to follow.

I remember well when the then Minister of Northern Development and Mines, Chris Hodgson, came to Sudbury to plant the 10-millionth tree. It was a very, very joyous occasion in our community because it was a tangible sign that in fact we had healed the landscape. We continue to heal the landscape as I speak. But you know, it wasn't only done with the company and the municipality. Our healing of our landscape and the re-greening of Sudbury had to involve the federal government and had to involve the provincial government in very real and tangible ways. Certainly provincial governments of the past, the Davis government, the Peterson

government and the Rae government, gave generously to our program in order to heal our landscape.

I would suggest to you that you have provided municipalities with some tools, but you've also taken some tools away from them. One of those tools is the money necessary to ensure that this type of work, this very important type of work, is done. The direction of this bill is good. I believe, though, more tools are necessary.

Ms Churley: In response to the members for Waterloo-Wellington and London-Fanshawe, I believe the member for Waterloo-Wellington is the parliamentary assistant to the Minister of the Environment, and I recognized the tone of that speech that you gave—it was a very good speech—defending from an environmental point of view what this bill will do. It was very well written, but I take real issue with some of the content of that speech in terms of what's really happening at the Ministry of the Environment these days, particularly when he talked about the preventive measures, pollution prevention, taken by this government. I take great issue with that, but in two minutes I can't point out all the areas where the Ministry of the Environment is in fact not doing that.

I do want to say to the members who spoke, and I alluded to this before in two areas, that the consultations happened, but it is my understanding that public health professionals, scientists, environmentalists and urban planners were largely left off the list. That's another reason why public hearings are so important, so that we can hear more from those people and get their points of view.

The other thing I've spoken about is the depletion of the Ministry of the Environment and not having enough staff there. I talked about the possibility of setting up a well-staffed unit in the ministry to conduct random audits.

I want to point out as well that the combination of site-specific risk assessment and sign-off by the professionals working for the developers could lead to very serious problems if the ministry isn't vigilant. That's why this is so important. I want to remind the members that those, again, are the kinds of things that we have to look at further down the road.

Mr Garfield Dunlop (Simcoe North): It's a pleasure to rise tonight to make a few comments on the speeches of the members from Waterloo-Wellington and London-Fanshawe. After hearing a lot of comments on this particular second reading of the brownfields act, I'm very pleased to see that, in my opinion, the opposition is finally coming on side with this. I don't know if you're going to support it in the end or not.

As we look at sites across our province, a lot of them as a result of the industrial revolution-type factories that we've seen, I still think that other governments in the past could have done something about this. That goes back in the last four, five, six decades. Nothing has actually occurred until now. I'm pleased to see that our government, and Minister Hodgson, have taken the leadership role here.

I think there are a lot of opportunities for the development of lands. It will help our Smart Growth policies, particularly the fact that it will allow municipalities and the private sector to develop lands that have the infrastructure on the sites. We look at storm sewers, water mains and sewers themselves; they're very expensive to install. This will be an opportunity to development those lands to the best of their abilities and to the best use that the municipalities will find for them.

I thank the members for making these few comments tonight. I hope everyone in the House will support this legislation. It is good legislation. It is good for the province of Ontario and for the environment of Ontario.

Mr Bradley: I recommend, to those who are responsible on the government side for this, some advice that's given by Dianne Saxe. Dianne Saxe used to work in the Ministry of the Environment. I think she was on the committee that made recommendations on brownfield sites. She mentioned how she thought the legislation could be improved. Here's what she saw as the problems in the legislation. Let me share them with you so you can address them, if you can, either now or in committee.

"First of all, innocent purchasers get some protection from government orders but no protection at all from prosecution or civil suits. While there's some protection regarding on-site contamination, there's no protection for off-site problems, a huge problem for any site with groundwater contamination. There's no protection for officers and directors of corporations that might consider getting involved in brownfield development.

"There's no assurance that innocent buyers will be able to get mortgage financing for contaminated sites. There's no deadline on the province for completing reviews of cleanup of lands, meaning developers may face long, unpredictable"—and these are sometimes years—"waits after buying a property.

"On the matter of who pays, the result is pretty much as expected. Municipalities will be able to provide some financial assistance for rehabilitation of contaminated sites, although the province isn't planning to help.

"This legislation, unlike much important business, will go to committee for hearings. The minister has said that. The government should come armed with a slew of amendments and a commitment to share the costs, otherwise the bill will represent little more than an attempt to appear to be acting on a major problem without actually doing much."

The reason I say Dianne Saxe, I think she was on the advisory committee that dealt with brownfields. So, there is some good advice in there. If you can try to address

those, you may find that the bill can be improved considerably. It might even get improved enough at third reading to get the opposition to vote for it, but I wouldn't hold your breath until that happens.

Mr Arnott: To briefly respond, because it is past 9:30, I want to thank the members for Sudbury, Toronto-Danforth, Simcoe North and St Catharines for responding to the speech I made, as well as my colleague the member for London-Fanshawe.

To the member for Sudbury, I've visited his fine community on a number of occasions, and good work has been done in the community of Sudbury by the local citizens in partnership with the provincial and federal governments. Certainly I know our government is committed to continuing those partnerships.

To the member for Toronto-Danforth, who is very passionate and outspoken, if I might say, in terms of her ideas on the environment and does a great job, I would refer her to the Gibbons report, which she has perhaps already read. It has a lot of very good recommendations that the government is working to implement, changing the philosophy of the Ministry of the Environment and the whole government toward a strategy of continuous improvement as opposed to just meeting simple standards.

She is quite right, the Minister of the Environment is interested in hearing from the environmentalists on this issue. As this bill comes forward, that will be abundantly clear. She's also right when she says that the ministry must be vigilant in terms of its enforcement of these new practices.

To the member for Simcoe North, when I first met him he was the warden of Simcoe county, and he has amply demonstrated his experience at the municipal level with his contribution tonight and the benefits of these kinds of tools. He deserves a round of applause for the work he does. It is pretty clear that this bill will assist their municipalities.

The member for St Catharines has made a very constructive suggestion and given some ideas I know the Minister of Municipal Affairs will want to consider very carefully and seriously during the course of the processing of this bill.

I want to thank, again, all members of this House. It is almost time to adjourn, so I'll leave it at that.

The Deputy Speaker: It being past 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 2133.

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Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
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Northumberland	Galt, Doug (PC)	Simcoe-Grey	Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	Klees, Hon / L'hon Frank (PC) Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint	St Catharines	Bradley, James J. (L)
Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	Clark, Hon / L'hon Brad (PC) Minister of Transportation / ministre des Transports
Ottawa Centre / -Centre	Patten, Richard (L)	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
Ottawa-Orléans	Coburn, Hon / L'hon Brian (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Sudbury	Bartolucci, Rick (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thornhill	Molinari, Tina R. (PC)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa-Vanier	Boyer, Claudette (Ind)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Oxford	Hardeman, Ernie (PC)	Timiskaming-Cochrane	Ramsay, David (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parry Sound-Muskoka	Miller, Norm (PC)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Perth-Middlesex	Johnson, Bert (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Peterborough	Stewart, R. Gary (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Pickering-Ajax-Uxbridge	Ecker, Hon / L'hon Janet (PC) Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement	Waterloo-Wellington	Arnott, Ted (PC)
Prince Edward-Hastings	Parsons, Ernie (L)	Whitby-Ajax	Flaherty, Hon / L'hon Jim (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Willowdale	Young, Hon / L'hon David (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Windsor West / -Ouest	Pupatello, Sandra (L)
Sault Ste Marie	Martin, Tony (ND)	Windsor-St Clair	Duncan, Dwight (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)
		Vaughan-King-Aurora	Vacant

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Gilles Bisson, Garfield Dunlop,
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Frank Mazzilli, Ted McMeekin, Bill Murdoch
Clerk / Greffier: Douglas Amott

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Tuesday 5 June 2001

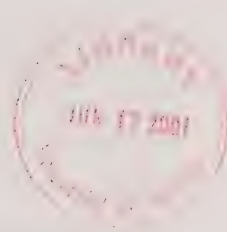
Mardi 5 juin 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 5 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 5 juin 2001

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

COMMUNITY CARE ACCESS CENTRES

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):

I rise today as the member for the Upper Ottawa Valley to convey to the Harris government the incredible and dumbfounded response of my elderly constituents, who are hearing these past few days that their community care access centre is going to be withdrawing very valuable and important home care and home support services from hundreds, perhaps thousands, of elderly patients in communities from Arnprior to Stonecliffe, and from Pembroke out to Barry's Bay and Palmer Rapids.

These older people are absolutely incredulous. This government, which has closed scores of hospitals and taken over 7,000 hospital beds out of the system, promised in good faith just a few years ago that there would be more, not less, money from the Ontario government to support the frail elderly at home.

I've got a constituent, to name but one, who is an 84-year-old woman with Alzheimer's and a broken hip and she's now going to lose valuable home support, personal care service. She and her family are absolutely distraught and the family is making a great effort to sustain their mother at home.

This is an outrageous breach of faith with the elderly people of the Ottawa Valley and elsewhere in Ontario.

Just a few weeks ago, we had the Ontario budget promising a \$2.2-billion corporate tax cut—billions for corporations, fewer and fewer dollars for 84-year-old women with Alzheimer's trying to stay and be cared for at home.

VOLUNTEERS

Mr Doug Galt (Northumberland): Today I rise in the House to recognize a volunteer from Northumberland county, Mrs Minnie Pennell. It is wonderful to have the opportunity to acknowledge a local volunteer who has been honoured by the province with a Senior Achievement Award. Mrs Pennell has been a long-time volunteer for the town of Cobourg's environmental advisory committee and the Cobourg Area Environmental Association. Her main accomplishments have been the establishment

of an exceptional ecology garden and a wonderful arbor-etum.

Yesterday Minnie had the opportunity to lunch with Lieutenant Governor Hilary Weston after she received one of only 24 achievement awards presented this year. The present Queen's father once said, "The test of our worth is the service we render," and clearly Minnie has passed that test with flying colours.

Since June is Seniors' Month, it gives us all a wonderful opportunity to thank the seniors such as Minnie Pennell for all of their sacrifices and for all of their contributions over the years.

I would like to personally congratulate Mrs Pennell on her award and on the outstanding work that she has done within Cobourg over the past 20 years.

ENVIRONMENTAL ASSESSMENT

Mr Gerard Kennedy (Parkdale-High Park): I rise today to bring to the attention of members of this House the threat which exists to the property in this city known as High Park, an area enjoyed by not a few but by thousands of people as their connection with nature. Instead, being put forward and foisted upon local citizens, through a decision of the Ontario Municipal Board, is an excessively large development that threatens to disturb the grounds and the water which provide one of the most pristine opportunities for the people of Toronto in general, not just those in my riding of Parkdale-High Park, to enjoy.

A condominium development has been exempted from the regular planning process by the Ontario Municipal Board. It is necessary for the province, and for the members of this House to encourage the province, to act, through the Environmental Assessment Act, to make sure that this development does not do what is feared and upset the delicate balance of nature, the wetlands, Grenadier Pond and so forth, because on this site are two service stations that were in business for 70 years, which have not been remediated and won't be remediated to a standard to protect this precious and fragile natural resource right here in the city, unless it draws the interest of the members of this House.

High Park deserves special consideration from the members of this House. This development is right on the edge of the most public of public parks in this province. It requires the sensitivity of the people of this House to ensure that there is an environmental assessment done in full before any development can go forward. Surely the

interests of those future residents and of all the residents of the area have to be put first and an environmental assessment done on this development.

EDUCATION FUNDING

Mr Rosario Marchese (Trinity-Spadina): Ontarians are outraged at this government's initiative to give public dollars to private schools, and no less in my riding. I don't have time to read all the e-mails that have come to me, but I've selected two for your benefit.

One is from Fern Mosoff and Paul Magder, which reads: "The decision to spend/tax credit \$300 million of the public purse on private education at this time in our province's social history is shameful, immoral and myopic. (What world are these decision-makers living on? Ultimately, this planet has only one tier.) We want to register our disgust with the arrogance of the Harris government and dismay at this further gross injury to our public school system."

The other letter is addressed to the Canadian Jewish Congress from Steve Werbin and copied to me. "I am writing to you today on behalf of myself regarding your recent approval of the tax credit the provincial Conservatives are introducing for parents who send their children to private schools.

"I am a lower-income resident living in the city of Toronto. I am dismayed and appalled at this apparent support for the wealthy Ontario residents at the expense of the less wealthy.

"In a climate where the public educational institutions face huge class sizes, sharing of textbooks (many times old books), a poisoned relationship between teachers and their employers, and funding formulas that simply do not work, it is a shock and even sick that our government would offer money of the public purse"—

The Speaker (Hon Gary Carr): I'm afraid the member's time is up.

Mr Marchese:—"to aid in essence the private school system (albeit indirectly)."

The Speaker: Sorry, I looked away and he carried on. The member for Kitchener Centre.

Mr Wayne Wettlaufer (Kitchener Centre): Lately the opposition, including that member over there, has focused much of its time telling the government that they do not support the idea of letting parents have choice in the education of their child, or maybe it's choice as they define it. I want to take this opportunity to give yet another example. I am receiving hundreds of letters every day and thousands of petitions every day supporting parents having choice in their child's education.

This one here is from Simon Jeynes, who is a principal and administrator of Christ Lutheran Church. He writes: "I want to both thank and commend you and your government for providing some equitable treatment for all parents in Ontario. The tax credit program that you have introduced addresses the ability of parents to make choices in the education of their children and is a crucial step in enabling all parents to make wise and informed choices for their children."

Mr Jeynes also states, "Contrary to Mr McGuinty's slanderous statements about our parents, they are neither elite nor rich but represent a cross-section of society both socially and economically."

Mr Jeynes has only been in Ontario for the past eight months, but reflected on an Alberta experience with the Edmonton Public School Board. The school board there "encompasses Christian schools, specialist schools, Suzuki, academic, fine arts, regular neighbourhood schools and Jewish schools, all accessible to any student within its jurisdiction."

It's obvious that other parts of the country are finally giving more choice to parents on their children's education. It is also obvious that the opposition, especially its leader, is trying everything it can do within its power to keep that right away from parents in Ontario.

1340

ACQUIRED BRAIN INJURY MONTH

Mr Ernie Parsons (Prince Edward-Hastings): June is Acquired Brain Injury Month. This is a wonderful opportunity for us as citizens to acknowledge a group of people who need our help, and also to thank the families and the organizations in our various communities that provide that support.

I have had the pleasure of knowing two individuals with acquired brain injury, and their perseverance, courage and determination are just phenomenal.

We have a number of organizations across Ontario that provide support for these people, but I would like to pay special tribute to Pathways for Independence in my riding. They operate a home for citizens who have had brain injuries, along with a number of other homes. They have an absolutely dedicated, caring staff, a strong administration, a good board. For the people who work for Pathways, it's not really a job; it is more a calling, they are so committed to their clients and rejoice in each and every step of progress these individuals make as they return to a normal life.

However, Pathways to Independence is facing a very difficult time. Funding cutbacks to them have caused them to close two of their homes, lay staff off and reduce services to the community. Our most vulnerable citizens are not being provided with services they need. I see the staff and administration and board spending time fundraising when they should be serving their clients to help our fellow citizens.

I call on this government to put our persons with disabilities ahead of funding golf tournaments. We can do better in this province, and we must do better now.

ALS AWARENESS MONTH

Mr David Tilson (Dufferin-Peel-Wellington-Grey): Once again this year volunteers from the ALS Society of Ontario will be selling cornflowers in my riding to mark the beginning of ALS Awareness Month.

It is important for Canadians to know that ALS is not just Lou Gehrig's disease; it is a disease that right now is

affecting about 3,000 Canadians. Imagine not being able to walk, write, smile, talk, eat, and eventually even breathe on your own, and yet your mind and senses remain unaffected. This is what having ALS is like for those who suffer from this disease.

It can strike anyone and results in complete paralysis and death, generally within two or three years of diagnosis. While ALS is not considered a common disease, it is not rare. As a matter of fact, according to statistics in 1996, ALS claimed more than 1,100 people in our country, only 15% less than the number taken by AIDS. Yet the disease remains largely unknown and misunderstood.

Sadly, two or three Canadians die every day from ALS. A number of years ago my own father succumbed to this disease. As a result, I personally know the pain family members go through as they deal with ALS. Although promising research studies are being conducted, there is still no known cause, and no cure is yet in sight.

Throughout the month, volunteers will be canvassing in the malls and public areas across the province to raise funds to fight this devastating disease. All the funds raised will be spent on ALS scientific research. Please make a generous donation to the ALS Society so that the dream of finding a cure becomes a reality.

COMMUNITY CARE ACCESS CENTRES

Mr James J. Bradley (St Catharines): Community care access centres were established across this province to provide services to people who would then not need those services within an institutional care setting.

Unfortunately this government has decided to underfund the community care access centres. Patients today are discharged quicker and sicker from hospitals, and there are fewer hospitals open today for them to be discharged from. A freeze in the CCAC budget means a cut when numbers are increasing and will result in a \$175-million shortfall this year across Ontario, in places like Sudbury, Windsor, Hamilton and Niagara. A budget freeze will put at risk our most vulnerable citizens, often the elderly and often those with disabilities.

Niagara has the largest per capita seniors' population in all of Ontario and will feel these cuts most acutely. CCAC Niagara's caseload increased by 12.5% this year, adding another 500 clients, and they will face a deficit of \$9.4 million as a result of this government's freeze.

We have \$2.2 billion for corporate tax cuts, \$235 million to be spent on blatant partisan government advertising, and we now have the government embarking upon yet another tax scheme to deprive revenues from the government. Where indeed are the priorities of the Harris government?

EVENTS IN DURHAM REGION

Mr John O'Toole (Durham): I rise in the Legislature today to tell the people of Ontario about an event in my

riding of Durham, one showcasing the village of Newcastle's strong historical ties to agriculture in our community and indeed our country.

On Saturday, June 16, the Newcastle Village and District Historical Society is hosting the Massey show, a day-long event where visitors can see antique farm machinery and other memorabilia made or owned and operated by the Massey family, whose descendants included Governor General Vincent Massey.

In the 1840s, Daniel Massey arrived in Newcastle village and established his family farm business, known to us today as the Massey Ferguson Co. His innovative farm implements gained the trust of Ontario farmers. The family business received worldwide acclaim in 1867 at the Paris exhibition, where the Massey mower impressed everyone, including Emperor Napoleon III. It's interesting to note that this agricultural machine company is the only one started in Canada and still operating today.

Visitors will be able to see the Massey tractor show at the Lovekin farm. The Massey family will also be presenting the Vincent Massey Memorial Award to the best-restored '44 Massey.

The Masseys made a lasting contribution to Newcastle before moving to Toronto.

Thanks to the historical society's Massey show committee—Ron Locke, Myno Van Dyke, Sanford Haskill, Dick Lovekin, Jack Gordon, Ken Stephenson, Pat McConnell, Bill Lake, Mort Lake, Francis Jose and Pippa Schmiegelow—for their efforts in preserving our significant history in Durham, and in fact agriculture in Ontario.

INTRODUCTION OF BILLS

HEALTH INSURANCE AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI SUR L'ASSURANCE-SANTÉ

Mr Duncan moved first reading of the following bill:

Bill 68, An Act to amend the Health Insurance Act to satisfy the criteria for contribution by the Government of Canada set out in the Canada Health Act / Projet de loi 68, Loi modifiant la Loi sur l'assurance-santé pour satisfaire aux critères régissant les contributions du gouvernement du Canada et énoncés dans la Loi canadienne sur la santé.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement?

Mr Dwight Duncan (Windsor-St Clair): The bill amends the Health Insurance Act so that the Ontario

health insurance plan satisfies the criteria set out in the Canada Health Act and the province of Ontario qualifies for receiving the full cash contribution from the government of Canada described in that act. Those criteria are public administration, comprehensiveness, universality, portability and accessibility.

The bill states very clearly that Dalton McGuinty and the Ontario Liberals oppose the Harris government's attempts to privatize our health care system.

**PROHIBITING PROFITING
FROM RECOUNTING CRIMES ACT, 2001**

**LOI DE 2001 INTERDISANT
LES GAINS TIRÉS
DU RÉCIT D'ACTES CRIMINELS**

Mr Young moved first reading of the following bill:

Bill 69, An Act to protect victims by prohibiting profiting from recounting of crime / *Projet de loi 69, Loi visant à protéger les victimes en interdisant les gains tirés du récit d'actes criminels.*

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The Attorney General for a short statement?

Hon David Young (Attorney General, minister responsible for native affairs): I'll make a minister's statement, if I may.

1350

**OCCUPATIONAL HEALTH AND SAFETY
AMENDMENT ACT
(WORKPLACE VIOLENCE), 2001**

**LOI DE 2001 MODIFIANT
LA LOI SUR LA SANTÉ ET LA SÉCURITÉ
AU TRAVAIL (VIOLENCE AU TRAVAIL)**

Mr Bartolucci moved first reading of the following bill:

Bill 70, An Act to amend the Occupational Health and Safety Act with respect to acts of workplace violence / *Projet de loi 70, Loi modifiant la Loi sur la santé et la sécurité au travail en matière d'actes de violence au travail.*

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Rick Bartolucci (Sudbury): I'll give you the précis version of the explanatory note, which is rather lengthy.

The bill amends the Occupational Health and Safety Act to impose duties on employers, supervisors and workers with respect to acts of workplace violence, which are defined to be acts of physical or psychological violence that persons commit in a workplace.

In conjunction with the workers and supervisors, an employer must develop a written code of conduct with

respect to workplace violence and post a copy of the code in a conspicuous location in the workplace.

An employer must establish strategies to deal with acts of workplace violence. The strategies must include establishing a team of specialists in the areas of management, human resources, security, labour relations, health, law, and risk management who identify and assess potential situations and acts of workplace violence and make recommendations to the employer on dealing with those situations.

An employer must develop a written policy of progressive disciplinary measures that the employer will take to deal with workers who it finds have committed acts of workplace violence.

Supervisors and workers must report to their employers all acts of workplace violence of which they know. An employer must keep accurate records of all reports received.

Finally, upon receiving a report that a worker has committed an act of workplace violence, an employer must have the worker undergo a psychological assessment.

I look forward to working very closely with the Minister of Labour in ensuring that this becomes law.

**HOMES FOR RETARDED PERSONS
REPEAL ACT, 2001**

**LOI DE 2001 ABROGEANT
LA LOI SUR LES FOYERS
POUR DÉFICIENTS MENTAUX**

Mr Baird moved first reading of the following bill:

Bill 71, An Act to repeal the Homes for Retarded Persons Act, amend the Developmental Services Act and make related amendments to other statutes / *Projet de loi 71, Loi abrogeant la Loi sur les foyers pour déficients mentaux, modifiant la Loi sur les services aux personnes atteintes d'un handicap de développement et apportant des modifications connexes à d'autres lois.*

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): By resolution, the Ontario Association for Community Living has called the Homes for Retarded Persons Act inappropriate, intrusive, restricting and demeaning. I agree, as I'm sure all members do.

Advocates for persons with a developmental disability have called upon the government and the Legislative Assembly to repeal this relic of the past and to reject the outdated, devaluing philosophy behind it. This bill would repeal the Homes for Retarded Persons Act and replace the outdated terminology in more than 30 acts.

I look forward to working with all members on all sides of the House on this important piece of legislation.

FISH AND WILDLIFE
CONSERVATION AMENDMENT ACT
(DOUBLE-CRESTED
CORMORANTS), 2001

LOI DE 2001 MODIFIANT LA LOI
SUR LA PROTECTION DU POISSON
ET DE LA FAUNE
(CORMORAN À AIGRETTES)

Mr Brown moved first reading of the following bill:

Bill 72, An Act to amend the Fish and Wildlife Conservation Act, 1997 in respect of double-crested cormorants / Projet de loi 72, Loi modifiant la Loi de 1997 sur la protection du poisson et de la faune à l'égard du cormoran à aigrettes.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Michael A. Brown (Algoma-Manitoulin): The bill amends the Fish and Wildlife Conservation Act, 1997, to permit the hunting of double-crested cormorants, subject to specific restrictions. Section 1 of the bill permits the hunting of double-crested cormorants from September 5 to the end of December in any year. It goes on to impose daily and seasonal limitations on the number of double-crested cormorants which may be hunted. Section 2 of the bill makes it legal for a person to destroy, take or possess the nest or eggs of a double-crested cormorant.

ELECTRICITY AMENDMENT ACT
(CONSUMER PROTECTION), 2001

LOI DE 2001 MODIFIANT
LA LOI SUR L'ÉLECTRICITÉ
(PROTECTION DU CONSOMMATEUR)

Mr Hampton moved first reading of the following bill:

Bill 73, An Act to amend the Electricity Act, 1998 to protect consumers / Projet de loi 73, Loi modifiant la Loi de 1998 sur l'électricité afin de protéger les consommateurs.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The leader of the third party for a short explanation?

Mr Howard Hampton (Kenora-Rainy River): We believe the best way to protect consumers would be not to privatize and deregulate Ontario Power Generation. But while we're trying to persuade the government to do that, we want to pass this bill to protect consumers by prohibiting, until a date to be prescribed by regulation, the unsolicited marketing of electricity to consumers in connection with the opening of the electricity market. Consumers are entitled to invalidate any contracts made in connection with a breach of the prohibition.

MARRIAGE AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI
SUR LE MARIAGE

Mr Murdoch moved first reading of the following bill:
Bill 74, An Act to amend the Marriage Act / Projet de loi 74, Loi modifiant la Loi sur le mariage.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Bill Murdoch (Bruce-Grey-Owen Sound): This act, if passed, will create a new position in the province of Ontario: a marriage commissioner. I don't know if my colleagues are aware of this, but it is difficult if not impossible to have a non-denominational marriage ceremony performed in Ontario. The problem only increases in rural Ontario.

That is why I've introduced this act. Through it, six marriage commissioners will be appointed in each of the 103 electoral districts in Ontario, appointed by the Lieutenant Governor in Council. These commissioners will be able to perform marriages during their three-year term, much like justices of the peace performed marriages in the past.

Marriage is a sacred institution; it should not be entered into lightly, nor should it be any less of a celebration of lifelong union. A religious ceremony has always been an option in this province. Up to a few years ago, a non-denominational ceremony was also an option. The Marriage Amendment Act will restore this second option to the people of Ontario.

LEGISLATIVE ASSEMBLY
AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI
SUR L'ASSEMBLÉE LÉGISLATIVE

Mr Murdoch moved first reading of the following bill:

Bill 75, An Act to amend the Legislative Assembly Act / Projet de loi 75, Loi modifiant la Loi sur l'Assemblée législative.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement?

Mr Bill Murdoch (Bruce-Grey-Owen Sound): It is my pleasure today to introduce a separate amendment to the Ontario Legislative Assembly Act. I believe it is an amendment that makes common sense out of a ticklish issue we faced recently: our salaries as MPPs.

If passed, this act will see Ontario's Integrity Commissioner, a person appointed after consultations with all political parties, be the one who determines how much the members of this House will be paid. I believe a truly impartial figure is the only one who should be setting the

pay schedules of politicians. I believed this when I was the reeve of the township, I believed it when I was the warden of the county and I believe it now.

That is why the Ontario Legislative Assembly Amendment Act, 2001, if passed, also contains a provision that all municipalities in Ontario can opt into using the Integrity Commissioner's service in this matter—an impartial look at a thorny issue.

1400

STATEMENTS BY THE MINISTRY AND RESPONSES

VICTIMS' RIGHTS

Hon David Young (Attorney General, minister responsible for native affairs): Ontario is a leader in promoting victims' rights and in working to keep our communities safe. We believe that victims of crime not only deserve justice, but also deserve to have a strong voice within the justice system.

It is simply unacceptable that criminals could benefit financially from the pain they have caused to victims and their families.

Since 1995 the Harris government has implemented several initiatives to enhance victims' rights and to make Ontario's towns, cities and communities across this province safer.

Last month we took another step to enhance victims' rights and to help keep Ontario's communities safe by introducing the Remedies for Organized Crime and Other Unlawful Activities Act. If passed, it would be the first legislation of its kind to use civil law to freeze, to seize and to forfeit, in appropriate situations, the proceeds of unlawful activity. It would return illegal profits to the victims. It would place that money back in the hands of the people from whom it was taken.

Today I am very proud to stand in this Legislature to announce that we are proposing to do even more to enhance victims' rights, more to keep our communities safe.

Earlier today I introduced the Prohibiting Profiting from Recounting Crimes Act for first reading in this assembly. This represents a further step in fulfilling this government's promise, this government's commitment to strengthen victims' rights.

I want to pause, if I may, for a moment and reference the fact that today we are joined in the House by Sharon Rosenfeldt and Scott Newark. Both Sharon and Scott work with the Office for Victims of Crime. They work each and every day dealing with people who are placed in very unfortunate situations: victims of crime across this province. They are here today to indicate their support for the legislation that I have introduced and that will hopefully pass through this chamber over the next short while. They are here today on behalf of victims, as are the members on this side of the Legislature, to state

very clearly that there is no profit in crime in this province.

The individuals who have joined us today and my colleagues on this side of the Legislature know that if this legislation is passed, it would send a very clear and very important message to those who consider profiting from the pain and suffering of their victims.

The groundwork for the proposed legislation was laid by my predecessor, the Honourable Jim Flaherty, and also by the Honourable Cam Jackson, who came forward many years ago with what was indeed an excellent first step in protecting victims of crime. I would like to take this opportunity to thank both of them for their insightful and hard work in this regard.

If the bill I have put forward is passed, it would prevent criminals from making money from recounting their crimes in any type of medium, whether it be television, movies, books or the Internet. This bill would apply to anyone convicted of a serious violent crime or serious property crime designated by this act. It would apply to persons acting on behalf of criminals such as a spouse, partner or other agent or relative. It would apply to a corporation in which the convicted person has a substantial interest. It would apply to accused persons for the purpose of any interim freeze orders.

Publishers and media companies across the province that have contracts with criminals would have an obligation in those circumstances to report their contracts. If they choose to do otherwise, if they do not report the existence of a contract with someone convicted of a serious crime, they, along with the directors and officers of those corporations, could and would face personal liability.

I say to you that our motivation in moving forward with this initiative is plain and simple. We are here to state very clearly that we are not going to allow victims to be revictimized. Anyone who has suffered the type of injustice that is discussed in the legislation should not have to be revictimized.

This act would establish a fund that would take the forfeited proceeds from any action instituted on behalf of these individuals by the Attorney General's office and would make this money available to victims.

As I said earlier, our government's priority is to protect victims and to clearly and unequivocally take the profit out of crime. The proposed bill would help to ensure that victims are not revictimized, and it would send a very clear message to any criminal who has any thoughts about proceeding in that manner.

I invite all my colleagues on both sides of the Legislature to join with me and to support victims of crime by supporting this bill.

The Speaker (Hon Gary Carr): Responses?

Mr Michael Bryant (St Paul's): I find myself looking at this bill and it looks new and smells new, but in fact we have here a new moment in the environmental policy of the Harris government. Never before have we seen such effective recycling, repealing and reusing of an old idea. Not only does this bill reintroduce a bill that

was reannounced and reintroduced in December of last year, only to be killed by this government when it prorogued, but it actually repeals and recycles a law that has been on the books since 1995.

There is nothing new here for victims. This is just another tired old idea from a tired old government. I say to the public and I say to the press gallery, take a look at section 17 of this bill. It repeals the Victims' Right to Proceeds of Crime Act, 1994. What's that, you ask? Well, you look at the press release from the minister and he says this bill is "the first in Canada to protect victims in this way." Then you go to the government's fact sheet and it says that the Honourable Mr Jackson's bill, the VRPCA, was the first law of its kind in Canada. Which is it, Mr Speaker? It's as if Minister Young drafted the sound bites and Minister Jackson drafted the fact sheet. Does that make any sense to you? It doesn't make any sense to me.

I don't want anybody in this chamber to think, and I know the government wouldn't want anybody to think for a moment—I know they wouldn't want to hit that hot button and suggest that this bill in any way would stop films or books being done that will result in revictimization of victims. All this bill does is what Mr Jackson's bill did in 1995, supported by all sides of this House, and ensure that criminals themselves cannot profit from those crimes, arguably already available to the common law.

I say to the government that instead of recycling the bill of opposition member Cam Jackson, as he then was, how about bringing forth some new initiatives being proposed by the official opposition of the day? How about making sure that every man and woman has the right to be tested for date rape drugs so they know whether or not they have had such a drug slipped into their body? How about support for the Bartolucci bills on child prostitution? How about support for Dave Levac's bill on organized crime?

How about bringing forward and supporting a bill that will mandate that trigger locks be installed on all guns manufactured and sold in Ontario so that we will prevent accidental deaths and suicides in a country in which guns are the third-highest cause of death among kids aged 15 to 24, in a country that ranks fifth in the world in terms of firearms-related deaths among kids under 14? We rank just behind Israel and Northern Ireland. I would ask this government to stop talking about victims of crime and start acting on the report on victims' services in Ontario: A Voice for Victims.

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In particular, how about recommendation one, which called for a provincial victims' service standard applicable to all victims of crime wherever they are situated in the province of Ontario? Instead, what has this government done for victims? They introduced the Victims' Bill of Rights Amendment Act, 2000, which ensured that this office, which already existed, would have statutory powers, but they haven't proclaimed that bill. Proclaim the bill, I say to the government. They passed the Domestic Violence Protection Act, 2000. They haven't

proclaimed the bill. Proclaim the bill, I say to the government. They introduced the Remedies for Organized Crime and Other Unlawful Activities Act. It died on the order paper, and they reintroduced it. They introduced Prohibiting Profiting from Recounting Crimes Act. It died on the order paper, and they reintroduced it.

I say to the government, for the sake of victims, please stop this policy of recycling, repealing and reusing old ideas, and act on new initiatives and new proposals that are before this House that will act on A Voice for Victims. It will mean there is something new for victims of crime in Ontario, not recycled old ideas, not repealed and reused old ideas, but something new for victims of crime.

It requires a commitment from this government to say no more reusing, recycling and repealing when it comes to victims of crime, because victims of crime in this province deserve better. Victims of crime deserve new rights. They deserve to have a standard that applies to all victims across this province. Act on the recommendations, I say to the government of Ontario.

Mr Peter Kormos (Niagara Centre): Well, it's the same old bill, Attorney General, that your predecessor introduced on December 14, 2000, and I have to tell you, we've got the same response now as we did then because things haven't changed.

What an insult to your colleague Cam Jackson, because the New Democratic Party, when it was in government in 1994, passed the Victims' Rights to Proceeds of Crime Act, 1994. It was a private member's bill. It was put forward by Cam Jackson and you now repeal Cam Jackson's bill. You repeal your own colleague's bill, a bill that quite frankly does a lot more for victims than your piece of fluff ever will. You see, what you're doing, Attorney General, is confiscating property that under the Victims' Rights to Proceeds of Crime Act, 1994, would be the property of the victim of that criminal. You're confiscating those proceeds and putting them into your little slush fund so that you decide as government how they're going to be divvied up. You'll decide which victims are worthy of receiving the proceeds derived from their particular perpetrator by his or her crime against them.

I tell you, Mr Attorney General, we're sticking with legislation that works. We're sticking with legislation that protects victims. We're going to oppose any effort to repeal the Victims' Rights to Proceeds of Crime Act, 1994. That's a bill that works. That's a bill that works for victims. That's a bill that represents best the interests of the people of this province. That's a bill that forbids exactly what you're doing. It forbids you and your government from dipping into monies that are rightfully the property of the victims of the criminals who are earning those profits as a result of the recounting of those crimes.

You've got to understand, Attorney General. I appreciate you show up for work at 9:30 or 10 in the morning and you get your script for the day. You get directed east, west, north, south, to wherever it is you're

going to do your photo op. You've got the blue backdrop; you've got a couple of officers in blue standing on one side or other of you. There's been half a dozen of them with you already. You read your script well. I have no hesitation in telling you that. But I have to tell you, Attorney General, that you're the Attorney General. You are the Attorney General whose provincial prosecutor cut a deal when a 17-year-old boy was struck dead by an illegal truckload down in Milton-Burlington while he was working at his job, so that the charges would be pulled and that trucking company would merely have to make a \$2,000 charitable donation, and get a tax receipt to boot so as to get a credit at the end of the year. That's how you and your government value the rights and interests of victims in this province.

You haven't been here long enough but you had better read some of the files in your ministry, Attorney General, to look at the history of your government's Victims' Bill of Rights. Talk to people like Linda Even and Karen Vanscoy, victims of the most atrocious crimes that could ever be imagined, deserted and abandoned by your government.

Indeed, when they litigated with your government to seek some enforcement of their rights under the Victims' Bill of Rights, your very own lawyers, the Attorney General's lawyers, argued that the Victims' Bill of Rights didn't mean a tinker's damn, that it wasn't worth the paper it was written on. It was the most successful day in court this Attorney General has ever had, because Judge Day agreed with the government's own lawyers who argued that the Victims' Bill of Rights provides no rights.

Your Premier, Premier Harris, promised amendments to that bill, to give teeth to the Victims' Bill of Rights, to give teeth to victims' rights here in Ontario, and you've broken that promise. You've broken that promise day after day, month after month, since you've been at it and you're breaking it again today.

You want to talk about victims' interests? Then why, Attorney General, did you pull the support to the Sudbury restorative justice program, a program that had received two years of funding and had demonstrated itself to be incredibly successful at responding to crime at a community level in the community and surrounding area around Sudbury? It had the support of every single stakeholder and actor in the criminal justice system, it had the support of the community, and it was successful. You pulled the plug on that because you're not about law and order, you're not about safer communities, you're not about making our streets safer for our folks or our kids to travel on; you're all about photo ops and recycling old press releases to try to delude the people of this province, to try to con them. You're not the Attorney General, you're the province's top con man—

The Speaker: Order. I would ask the member to withdraw the word "con."

Mr Kormos: —withdrawn—believing that the people of this province receive any protection at all from their Attorney General or their Premier or their criminal justice system under your watch here in Ontario.

The Speaker: Just before we begin question period, a quick reminder that we're going to try to keep it to one minute. The questions have tended to creep up a little bit. As you know, I'll try to remind you at about 50 seconds. Hopefully that isn't too intrusive when I yell "question" or "answer." That will be a reminder you have about 10 seconds to wrap up. If all members could adhere to that, that will allow us to get more questions. As is usual, we tend to take a little bit longer as the session goes on. Your co-operation would be much appreciated.

VISITORS

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): On a point of order, Mr Speaker: In the gallery today we have students from my riding who were the successful candidates for an educational program: from l'école Ste Marie de l'Assomption of Green Valley, the gateway to Ontario, Rachelle Décoeur et Andrée-Anne Lefebvre, and from l'école L'Escale de Rockland, Marie-Pierre Lalonde.

Also, thanks to VIA Rail which has complementary transportation for this program.

Bienvenue à l'Assemblée législative.

ORAL QUESTIONS

EDUCATION FUNDING

The Speaker (Hon Gary Carr): It is now time for question period.

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, on a point of order: I know the Minister of Education is here. Oh, there she is. We have questions for the Minister of Education.

Mr Dalton McGuinty (Leader of the Opposition): My questions are for the Minister of Education. You continue to boast, day in and day out, about the \$13.8 billion you're going to spend on education this year. I want you to put that number in some perspective.

Back in 1994, in the Common Sense Revolution, it said, "Ontario spends \$14 billion a year on primary and secondary education — more per pupil than any other province — and still gets a failing grade." Well, since 1994, enrolment has grown by over 62,000 students. What that means, Madam Minister, is that you haven't provided a single new dollar for those students and their education. Forget about enrolment for a moment: the Bank of Canada calculates that our schools would need over \$15.9 billion just to have kept up with inflation.

The good news of late is that you've been able to come up with \$300 million more for education in Ontario, but you, Madam Minister, want to put that into private schools. The question I have for you on behalf of Ontario's working families is, if you've found \$300 million for education, why wouldn't you invest it in public education where we need it?

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Hon Janet Ecker (Minister of Education, Government House Leader): The facts are very clear. As the honourable member knows, in 1995-96 it was \$12.9 billion, if you're comparing apples to apples. It is now \$13.8 billion. We did increase that amount. We put over 360 million new dollars this year, one year alone, a one-year increase into our public education system because it is a very important priority for this government.

Mr McGuinty: Madam Minister, you may want to make reference to your own documents. You tell us that you're spending \$13.8 billion. The Common Sense Revolution, on page 11, tells us very clearly that Ontario was spending, at that time, \$14 billion a year on primary and secondary education, and there's no fine print in this either. It was all very straight up and voters relied on it.

To add insult to injury, not only have you cut funding to public education, now you've put forward an incentive, an inducement for parents to pick up and leave public education, and every time they do that that will cost the local public school board. When you've been presented with this by the media, you have denied that in fact it will mean it's going to be a loss in funding to the local school board.

Let me read to you from this weekend's Kingston Whig-Standard. "Rob Savage, a Ministry of Education spokesperson, said that an enrolment drop in Hastings and Prince Edward is responsible for transfer cuts in that board. When a school loses one student, it also loses funding, said Savage."

Minister, why won't you now admit what your press secretary already has in print: every time a parent leaves a public school for a private school, public education pays a price?

Hon Mrs Ecker: We've also been very clear that we fund our public education system above enrolment, as we should, and that will continue.

Secondly, we could add all kinds of things into the spending for public education. We could add in, for example, teachers' pension plans. But what we do over here on this side of the House is make sure that the figures we put out for our public education system are apples to apples: \$12.9 billion; it is now \$13.8 billion. This year alone, over 360 million new dollars to our public education system. That's one increase, one year, on top of what was increased last year. That kind of investment in public education is important and it should continue. It's above enrolment, as it should be.

We are also making sure that our school boards are putting more of those dollars in classrooms. That's why we've had less administration, fewer school boards, fewer school board politicians—things that the honourable member fought against. He may think we should have lots of money in school boards—

The Speaker: The minister's time is up.

Mr McGuinty: I'm not sure why it is that you're having so much difficulty understanding what it is that your party committed to in 1994, and what specifically they said when it came to funding for public education.

In 1994, they specifically said that the Ontario government was spending \$14 billion on primary and secondary education. Today you trumpet that we're spending \$13.8 billion. That means that you are spending less today than you said we were spending back in 1994. That's what that means, and the evidence is painfully obvious through public education throughout the province of Ontario.

The truth is that in that financial context for public education you now want to take \$500 million and put that into private schools. We are aware of your cuts to everything from heating our schools to busing and textbooks. Families want to know why it is, if you've been able to come up with \$500 million, while you've even estimated it could be as high as \$700 million, if you've been able to find that much money for education in Ontario, why would you not invest it in their schools, in their public schools?

Hon Mrs Ecker: When this government increased money in this budget for children's treatment centres, I didn't hear the honourable member saying, "Oh, that's going to come out of the public education system," because it's not. When this government increased funding for health care, I didn't hear the honourable member saying, "Oh, that's going to come out of public education," because it's not. But somehow or other, when five years from now \$300 million is going to go to the parents, the hard-working Ontario families who choose to send their children to an independent school, he says that's going to come out of the public education system. It is not, and he knows better.

COMMUNITY CARE ACCESS CENTRES

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Premier. Premier, I want to bring to you the case of Mr and Mrs Christmas, who are an elderly couple resident in Hamilton. Mrs Christmas is 86 years of age. She suffers from diabetes and recently, as a result of complications, she had one of her legs amputated, so she is confined to a wheelchair. Her husband, Mr Christmas, also recently had an operation and he is fragile as well. They have applied for home care through their local CCAC and have been informed they're entitled to one hour of care every week. They need home care for help with their personal needs, with bathing, use of the washroom etc.

Premier, on behalf of Mr and Mrs Christmas and our parents and grandparents just like them throughout the province of Ontario, why have you got \$2.2 billion for additional corporate tax cuts, you've got over \$200 million for partisan government advertising, you've now got \$500 million for private schools, but you haven't got enough money to enable people like the Christmases to enjoy some basic dignity and a modicum of care in their own home?

Hon Michael D. Harris (Premier): I'm sure in the supplementary the minister will want to respond with some of the specifics and the details.

We did announce in this budget \$15 million this year by way of tax credits. That's one five, \$15 million, by

way of tax credits for those parents who are double-paying for education, which as we said will certainly help support low- and medium-income families, just to correct the record on your preamble.

Yes, we have been a party that wanted to cut taxes to allow businesses to be able to compete here in Ontario, to invest here in Ontario, to create jobs here in Ontario, so that the Christmases' children and grandchildren could have jobs right here in this province.

With regard to CCAC funding, we have increased the home care portion 72% since we took office, which is a massive increase in a fast-growing area. If the member would like us to look into an individual case to see if the case was assessed improperly, I'm sure the minister would be pleased to do that. If you're suggesting there's more to do, we agree. There's more to do in a whole host of areas, including home care.

Mr McGuinty: If you go from the specific, then, Premier, to the general, let me tell you about CCACs and home care throughout the province as it's developing and how it reflects your commitment and levels of funding. Here's a press release put out today from the Algoma Community Care Access Centre. They say they've approved reductions in services to current and future clients to reduce expenditure levels to the Ministry of Health and Long-Term Care's 2000-01 funding allocation level. They're saying they've got to make cuts because of something you've done here through your government. They say the planned reductions include, for nursing, elimination of health supervision visits; elimination of monitoring of wound care.

That is what is happening on your watch. That is an accurate reflection of your commitment to home care for our parents and grandparents throughout the province. The question I have to you is, Premier, why are you able to come up with money for corporate tax cuts, you're able to come up with money for private schools, you're able to come up with money for partisan government advertising, but you can't come up with money for our parents and our grandparents as they get on in life?

Hon Mr Harris: I think it's really important that we review the facts. When we took office, we had an \$11-billion deficit. We have taken care of that \$11-billion deficit with tax cuts to create jobs and prosperity for the Christmases' children and grandchildren and for all of those seniors' children and grandchildren in this province.

The second thing we had to deal with was a rapidly escalating cost of health care. We put \$5 billion more into health care over that same period of time, 72% more into home care over that same period of time. We thought we had a partner in health care, and that was the Liberal government in Ottawa. Over that same period of time, your Liberal counterparts in Ottawa have cut funding to Ontario by \$100 million. With all the money they've put back in in the last couple of years, they're spending \$100 million less than they did six years ago when we took office. So we made up \$5 billion; we balanced the books; we put 72% more into home care. Yes, there's more to do—

The Speaker (Hon Gary Carr): Order. The Premier's time is up.

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Mr McGuinty: Premier, let me bring you down to earth here and tell you what's happening in Sudbury, where they're coping with your cuts to their community care access centre. Do you know what they're proposing now? They've got it in the newspaper article here. They are introducing eligibility tests for home care services. To my understanding, this is a first in a long, long time in Ontario. Premier, we're talking about eligibility tests for our parents and our grandparents who are unable to cope with their own basic health care needs, needs around the home.

I looked at your in-home services document that's available on the Web, and it says "You can receive in-home health services if you are an Ontario resident insured under OHIP, if adequate treatment can be provided at home and if your needs cannot be met as a hospital outpatient."

There's no reference to your documentation, Premier, to this new means test. I'm just wondering if you're going to be making it clear now to CCACs throughout the province that you will not accept any means test for our parents and our grandparents when it comes to meeting their basic needs through home care services.

Hon Mr Harris: Those members of this Legislature who actually have their feet on the ground do understand: \$5 billion more we've put into health care, while the federal Liberals in Ottawa cut \$100 million. I think members of this Legislature who have both feet on the ground and who say the same thing out of one side of their mouth as they say out of the other side of their mouth will understand that 72% more money has gone into home care in Ontario. Any member of this Legislature who has both feet on the ground will understand that Ottawa pays not one cent of any home care program. Any member of this Legislature who has both feet on the ground will also understand that the province of Ontario, without a cent from Ottawa, has the most—

Interjections.

The Speaker: Sorry for the interruption, Premier. We're getting too loud. We need to be able to hear the answers as well.

Sorry for the interruption, Premier. Are you done? OK.

EDUCATION FUNDING

Mr Howard Hampton (Kenora-Rainy River): My question is also for the Premier. Premier, 15% of parents in Ontario indicate that they will move their children from the public school system into private schools if your government proceeds with your scheme of tax credits or vouchers to fund private schools. If 15% of students move from the public school system to private schools, we know that under your education funding formula you would cut public school budgets by \$2.3 billion.

My question to you, Premier, is the same as my question to the Minister of Finance yesterday: how do

you expect public schools in Ontario to address the educational needs of our students if your tax credit/voucher scheme means they lose another \$2.3 billion a year?

Hon Michael D. Harris (Premier): I'm sure the Minister of Finance can respond.

Hon Jim Flaherty (Deputy Premier, Minister of Finance): As the member knows, or should know if he has reviewed the material concerning the five Canadian provinces that do provide grants to independent schools, he will see that in their experience, which is quite substantial now, the rate of increase has been relatively minor in terms of enrolment changes from the public sector to the independent sector. Specifically, in the 10 years of actual experience in Manitoba, independent school enrolment as a percentage of the total increased only marginally, from 5% to 6.6%, from 1990 to the year 2000.

As I say, if the member is interested in the actual facts as to what has happened in other Canadian jurisdictions in our sister provinces, he can look at them. They are clear that the movement is relatively minor between the two systems.

It does give choice to parents. We believe in choice; I don't know if you do or not, but it's clear that this initiative would give parents the opportunity to make that choice—

The Speaker (Hon Gary Carr): Order. The minister's time is up.

Mr Hampton: The Premier would know that the system of enticements that you're putting forward is completely different from any other funding mechanism in any other province. In fact, your system of enticements is like the pilot projects that are happening in the United States right now. The clearest example is Milwaukee, where 15% of the students left the public system for the private system. That's the clearest comparator.

We asked the board of education in Peterborough what a 15% reduction would mean for them. They're very clear: it would mean laying off 300 teachers and 75% of their speech pathologists and other support staff. The director of education at the board in Windsor says that a 15% reduction would mean closing 10% of the schools, laying off principals, vice-principals and teachers.

The directors of education are all very clear about what this means. They're clear that when you lose students from the school, the funding formula reduces their budget. So, Premier, if 15% of parents say they're prepared to move their children if you give them an enticement, how do you expect the public school system to function with \$2.3 billion less each year because you've cut it under your funding formula?

Hon Mr Flaherty: As I say to the member opposite, he'd do well to look at the actual experience that we've had in our sister provinces. Were Ontario to enact this tax credit, then the majority of provinces in Canada would be providing some sort of assistance to parents whose children are attending independent schools. In another large province, British Columbia, independent school enrolment, for example, rose from 7.1% to 8.5%. Over

the same 10-year period, only one out of every 70 public school students moved to the independent school system.

Those are the facts—not facts from foreign places, not facts from other countries; facts from our sister Canadian provinces.

Mr Hampton: The Minister of Finance wants to continue to ignore the only comparative system, the pilot project that is now underway in the United States, where the government offers direct enticements—tax credits, vouchers—to parents. There, 15% of the students moved from the public to the private system.

But just to confirm, I spoke today with the director of education for the Keewatin-Patricia board. They've lost, over the last three years, 700 students, 7% of their children. When they lost 700 students, your funding formula cut their budget by \$4.5 million. The Rainy River school board lost 200 students; you cut their budget by \$1.4 million because of the reduction in the number of students.

The question again, Premier, is, 15% of parents in Ontario say that they would move their children to private schools if you provide the enticement. Under your funding formula, a 15% move in students results in a 15% cut to the public school system. How are they going to function with a \$2.3-billion cut?

Hon Mr Flaherty: As I've explained to the member opposite, in fact the enrolment growth in independent schools in our sister provinces has been relatively minor. But there was a dramatic change in enrolment growth in independent schools in the province of Ontario, and it happened between 1990 and 1995, when the NDP government was in power, when public school enrolment grew by only 9% while private school enrolment grew by 19.1% during the time that the NDP was responsible for public education in the province of Ontario, driving students from the public school system.

CONSUMER PROTECTION

Mr Howard Hampton (Kenora-Rainy River): Another question for the Premier; the Minister of Finance seems determined to do everything to avoid answering the question. My question is about electricity in Ontario. I put forward a private member's bill today which would stop door-to-door marketers from going to someone's house, intimidating them and telling them a false price or a dishonest price in terms of electricity, and then trying to get them to sign up with a new electricity marketer. Because what's going on out there, Premier, is people are being scammed. They're being told dishonest stories. They're being given unrealistic prices. I'm asking you to support my private member's bill and to stop this kind of misrepresentation of consumers across the province. Will you do that, Premier?

1440

Hon Michael D. Harris (Premier): I think the Minister of Energy can respond.

Hon Jim Wilson (Minister of Energy, Science and Technology): I used to be on that side.

I certainly agree with the honourable member that consumers need protection. I would ask what took him so long, though. In 1998 this Legislature passed the Energy Competition Act, which for the first time brought in consumer protection against unscrupulous marketers. For years under the NDP, gas marketers were out there, unlicensed. There were more complaints. In fact, I was one of those on the opposition benches who brought to the NDP's attention those scams that were going on at that time. So in 1998 we brought in the toughest consumer protection law for energy marketers in this country. It requires a cooling-off period. It requires that marketers operate in an honest fashion, in a fair fashion, that all the contracts be explained; and it is monitored by Floyd Laughren, the former NDP finance minister, and the Ontario Energy Board. They are responsible for making sure marketers operate in an honest and fair fashion in this province.

Mr Hampton: The problem you have, Minister, is that your legislation doesn't provide the protection, and if your legislation doesn't provide the protection, there's nothing the Ontario Energy Board can do about it. Even professor Don Dewees, who participated as a vice-chairman of your Market Design Committee, has come forward and said that he wouldn't have enough information, with all of his expertise, to be able to tell if someone was scamming him in terms of the electricity price they offered or if they were in fact going to offer him a better deal. Even with all his information, he wouldn't be able to tell.

You're allowing these scam artists to go out there and tell people, "Oh, we're going to give you a good deal on electricity," but when you finally add up the price, people are being taken to the cleaners. People are being, literally, ripped off. That's a problem now.

My question is: are you going to do something about it? Are you going to support my private member's bill and prohibit this kind of activity, or are you in there with the scam artists, letting them go out there and lie to people across this province?

Hon Mr Wilson: I'd be happy to support his bill if it did anything different than what's already provided for in our consumer protection legislation. For instance, I have a copy of his press release from this morning and it calls for a cooling-off period so that consumers can cancel their electricity or gas contract. Of course, in the Energy Competition Act of 1998, passed by this Legislature, there is such a cooling-off period. It calls for fines for unscrupulous marketers. We have the ultimate fine, and that is Floyd Laughren can take away their licence to do marketing in this province.

We also have—and I'll give the honourable member credit for this, catching up to the government—a red-tape bill coming before the Legislature that brings in a series of fines against unscrupulous marketers. But right now the ultimate teeth are in the legislation that was passed two years ago, and that's to take away their marketers.

I say to the honourable member: when you were a member of the NDP government, why didn't you protect

consumers then? There were thousands and thousands of gas marketing complaints every month, and they didn't even go to the extent of licensing—

The Speaker (Hon Gary Carr): The member's time is up.

CANCER TREATMENT

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. Yesterday I asked you whether you were going to abandon plans to merge cancer centres with hospitals. Instead of answering the question, you tried to deny that there even was a plan. Last month you accused hospital board members of intellectual dishonesty. Now you seem to be making the same accusation about Cancer Care Ontario board members who risk speaking out.

You had decided to force through this agenda with no consultation: no consultation with Cancer Care Ontario and no consultation with hospitals. When Cancer Care Ontario wrote you a carefully worded letter, expressing their concerns about staffing and fragmentation of the cancer care system and access to care, you wrote back and said that your plan would be carried out within six months. You said, "The end point of the process has been defined." Any co-operative effort was to be about how to do this, not whether to do it.

Minister, there is no doubt you had a plan, and yesterday's question still stands: are you going to abandon your plan to merge cancer centres with hospitals?

Hon Tony Clement (Minister of Health and Long-Term Care): I can assure the honourable member and this House that we are not abandoning plans to have better integrated cancer services in the province. We're not abandoning our plan and our commitment to better cancer services for cancer sufferers in Ontario.

We're not abandoning our plan to work with Cancer Care Ontario for the best way to best deliver the best services in the province of Ontario. If she wants me to abandon plans that deliver better services to more people in their home communities in an integrated way, I refuse to abandon those plans.

Mrs McLeod: Today, Minister, you announced that you are setting up an implementation committee. It will be chaired by Dr Alan Hudson, who in the past has advocated exactly the kind of merger you are proposing. You said that Cancer Care Ontario had recommended Dr Hudson's appointment.

In fact, if you were to be straightforward with this Legislature, you would acknowledge that Dr Hudson's name was one of three people put forward by Cancer Care Ontario to be part of an independent panel, not to chair an implementation team. Do you really expect anyone to believe that you're not going to impose this merger on Cancer Care Ontario?

I tell you this is not just about an organization and its future. This is about cancer patients. The Cancer Care Advocacy Coalition and the Canadian Cancer Society, both representatives of cancer patients, are deeply

concerned about what you're doing. I quote the Canadian Cancer Society: "The proposed integration of services will hurt the delivery of comprehensive cancer care in this province and ultimately affect people living with cancer."

Minister, let me try once more. Will you assure concerned cancer patients that you are not going ahead with your plan to merge cancer centres with hospitals?

Hon Mr Clement: I can assure any cancer patients or their families, or indeed all Ontarians, that we remain committed as a government, like a laser beam, toward better cancer care in the province of Ontario. Of course, the funding has been there, an increase of 48% over the last few years.

We are intending to move ahead with what all of the experts have said, indeed what Cancer Care Ontario has said, that we have to continue to integrate the services at the local level. We will continue to do that, because the consensus has been that we move forward with better integration for better cancer care.

So if she asks me to abandon what is better for cancer patients, what is better for their families, I refuse to do that. We now have Dr Alan Hudson, an acknowledged leader in this field, who was in turn suggested by Cancer Care Ontario. He is part of the team now and he will get us to the better place, better cancer care at the local level for cancer sufferers in Ontario. I encourage the member to join us in this crusade for better cancer care, rather than being in the way.

NORTHERN ONTARIO HERITAGE FUND

Mr Norm Miller (Parry Sound-Muskoka): My question today is for the Minister of Northern Development and Mines. In 1998, the northern Ontario heritage fund provided Lakehead University Paleo DNA Laboratory with \$1.2 million in funding to expand its research facility. Recently—

Interjections.

The Speaker (Hon Gary Carr): Sorry for the interruption. Order. There are comments back and forth. We need to be able to hear. I can't hear through you to the member for Parry Sound-Muskoka, especially when you're so close. Sorry for the interruption.

Mr Miller: Thank you, Mr Speaker. Recently the lab undertook a project to examine DNA from remains of the passengers of the Titanic from near Halifax, Nova Scotia. In recent weeks the media has reported that the member from Nickel Belt questioned the use of Ontario tax dollars for a project conducted in Nova Scotia.

Minister, can you clarify any confusion the opposition may have with regard to this world-class lab located in northern Ontario and the funding they receive?

Hon Dan Newman (Minister of Northern Development and Mines): I want to thank the member for Parry Sound-Muskoka for his question. The Mike Harris government is proud to support, through funding mechanisms such as the northern Ontario heritage fund, state-

of-the-art research facilities such as the Lakehead University Paleo DNA Laboratory in Thunder Bay.

Facilities such as these highlight Ontario's role as a global leader in a wide range of both basic and applied scientific research projects. The Titanic project represents a unique opportunity to showcase the specific capability of the Paleo DNA. It is my understanding that the actual research component of the project will occur at the lab in Thunder Bay. While the field research and information gathering may occur off-site, the analysis and lab research will be done in Thunder Bay.

1450

Mr Miller: Thank you, Minister, for your response. As a member from northern Ontario, I am always pleased to hear more details about what commitments and opportunities we have engaged in toward the further development of the north. Could you provide more details about this project and other opportunities it has created in the north?

Hon Mr Newman: Again I'd like to thank the member for Parry Sound-Muskoka for his excellent question. The northern Ontario heritage fund has provided Lakehead University with the opportunity to create new forensic and paleo internship courses that have brought students and professionals to northwestern Ontario to study, to live and to possibly relocate.

The Northern Ontario Heritage Fund funding was used to purchase equipment for the lab, to provide training and workshops for the staff, to market the facility and toward further research and development. The lab continues to focus on fee-for-service DNA research. Accordingly, the director and the staff of the lab have been marketing the services available in the laboratory regionally, nationally and internationally.

IPPERWASH PROVINCIAL PARK

Mr Gerry Phillips (Scarborough-Agincourt): Ontarians have wanted to know the truth about what happened at Ipperwash. There was a First Nations person who died and an OPP officer convicted of criminal negligence.

Premier, you have said that you would hold a public inquiry once all matters were out of the courts. That time now has come. The final hurdle has been cleared. The George family has in writing—true to their word, I might add, because they have said this all along, that they had no interest in a civil case if you would call a public inquiry. Now, in a communication, a letter to you, they have formally said they would clearly drop the civil case if you would do what you have said you would do, and that is to call a public inquiry.

Now that the final hurdle has been cleared, Premier, will you finally personally—you are the one who can make this decision—make that decision to hold a public inquiry?

Hon Michael D. Harris (Premier): The Attorney General can respond.

Hon David Young (Attorney General, minister responsible for native affairs): I have recently become aware of the fact that the George family indicated through their lawyer that they were prepared to have this action held in abeyance; not dropped—held in abeyance. I must say to you that that is not a term that exists within the rules of civil procedure. It is one that I guess their lawyer has made up and thought it might be appropriate but is not known in the area of civil procedure.

Five years ago, the George family came forward and made some very, very serious allegations against senior members of this government. Throughout, the defendants have denied and categorically rejected each and every one of those allegations. We are finally getting close to trial and at this juncture the plaintiffs are indicating they don't want to go to trial. The defendants do want to go to trial. They want their day in court and they want it soon.

Mr Phillips: The George family has been categorical and said that they would finally terminate this when the final inquiry report is presented. It has been clear: Premier, you are trying to bankrupt the George family.

I will read from their letter. This is from Sam George: "We ... believe it is extremely unfair that I and my small family are left bearing the enormous weight of litigating against some of the most powerful institutions in the country, given the universal acknowledgement that this case raises many important issues of public interest. While we are willing and able to carry through with this litigation until its ... end, and will do so if that is forced ... it would be a sad comment on the state of public government and justice in this province if that remains necessary."

This family and Ontario deserves a public inquiry. You can't have them, on behalf of Ontario, bankrupting themselves fighting you and the courts. This demands a public inquiry. You have said all along that you would do that if this matter were removed from the courts. The George family have categorically said they would do that.

Now that you know that, Premier, will you today do the decent and honest and fair thing for the George family and finally agree to hold a public inquiry where they can have a fair day in court and Ontario can finally get to the truth of the matter about Ipperwash?

Hon Mr Young: I'm not sure if the member opposite is reading from the same piece of correspondence that I have been provided with through counsel, but I will tell you what the correspondence I have that allegedly comes from that source indicates. It is as follows: "While we are willing and able to carry through with this litigation until its final end ... if" we are "forced" to do so—they indicate very clearly they are willing and able to carry through with the litigation.

Let's be very clear: the litigation that they started in which they made very serious allegations is a civil proceeding that would allow for the court to assess damages and to attribute blame. The public inquiry that they now want to shift to is a public inquiry that could do neither. The defendants want their day in court—

Interjections.

The Speaker (Hon Gary Carr): Would the Attorney General take his seat. Has the Attorney General finished?

Interjection.

The Speaker: New question.

ASSISTANCE TO FARMERS

Mr Toby Barrett (Haldimand-Norfolk-Brant): My question is for the Minister of Agriculture, Food and Rural Affairs. Minister, as you know, I represent the riding of Haldimand-Norfolk-Brant. It's a rural agricultural riding. It's well-known for its fruit and agricultural products. In the early spring I was pleased that our government pledged and distributed \$90 million to—

Interjection.

The Speaker (Hon Gary Carr): Will the member take his seat. Sorry, will the member take his seat, please.

The member for Scarborough-Agincourt, I have been patient. It's a very controversial issue. We're on to the next question. I can't have you shouting out.

Sorry for the interruption, member for Haldimand-Norfolk-Brant.

Mr Barrett: Minister, I was very pleased this spring when our government pledged to distribute \$90 million to our hard-pressed grain—

Interjection.

The Speaker: Order. The member for Sudbury, this is your last warning. I just got up and then you continually shout the minute I get down. We don't stand up for our own good. This is your last warning.

Again, I apologize to the member who is trying to get the question out. Sorry for the interruption.

Mr Barrett: Minister, with respect to this \$90 million for our grain and oilseed producers, this was thoroughly appreciated by corn farmers, soybean growers and other farmers throughout my area. However, last year fruit and vegetable growers faced weather-related problems, increased production costs and poor markets.

I understand that OMAFRA has developed a proposal to help horticultural producers across Ontario. Could you explain to me and for the benefit of growers across our province the details of this proposal for our fruit and vegetable farmers?

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): I thank the member from Haldimand-Norfolk-Brant for the question. As you know, our \$90-million contribution to hard-pressed farmers accessed \$104 million of the federal pot of money of \$500 million. Part of the condition of that was that we consulted with farmers who had extreme difficulties this spring, and that included all leaders in our commodities. The horticulture sector in particular will receive \$36 million of the \$104 million, and \$68 million will go to the grains and oilseeds.

This is certainly in recognition of the edible horticultural crops and the difficult season and the conditions they endured in the past year. Producers of the horticultural crops who participated in the 1999 NISA pro-

gram will receive a payment equal to approximately 6% of the eligible net sales for 1999. We have the means and the technology. As soon as we get the money from the feds, it will flow instantaneously.

Mr Barrett: Thank you, Minister. I know that is very much appreciated by our area fruit and vegetable growers.

While any funds that our government may grant to horticultural producers would be appreciated, farmers in all fields agree that the government must improve the package of safety net programs. What is currently being done by OMAFRA to address this concern for a system of safety nets that will do a better job of meeting the needs of fruit and vegetable growers?

Hon Mr Coburn: As the member points out, our government wants to come up with a made-in-Ontario solution. I'm pleased to tell you that the commodity groups have worked shoulder to shoulder with us on that particular issue so that safety net programs and ad hockery is a thing of the past. We have something that will provide some future to the agricultural commodities that they can depend on and make appropriate business decisions.

On May 29, my ministry wrapped up its most recent consultations with the farm and commodity leaders to develop options for safety net programs that will fully meet Ontario's needs in the future. The industry is strongly supportive of our efforts to develop these programs that will boost long-term competitiveness through increased industry self-reliance while still meeting those short-term goals.

1500

ENVIRONMENTAL PROTECTION

Ms Marilyn Churley (Toronto-Danforth): My question is to the Premier. The Walkerton inquiry has let the truth be told, and what we're hearing is shocking. Two previous environment ministers and cabinet were warned that your government's drastic cuts to the environment ministry would jeopardize the environment and public health, but cabinet turned those serious warnings into a public relations exercise. You said that everything was fine, that the cuts would actually improve environmental protection—and then Walkerton happened. Seven people died. Premier, why did you cover up the truth?

The Speaker (Hon Gary Carr): Order. You've got to withdraw that. I'm not going to allow that.

Ms Churley: I'll withdraw that.

Why did you not listen to the warnings?

Hon Michael D. Harris (Premier): I think the actions that we've taken are pretty much a matter of public record. We acted responsibly, in the best interests of Ontarians. We were trying to control costs, obviously, and the \$11-billion deficit that your government transferred to us. If we had allowed that situation to continue, we wouldn't have had a nickel for the environment, education, health care or anything else.

We sought advice from the civil service on how we could best restructure a number of ministries, how we could do more with less, and how we could provide service to constituents. Now, as you know, there is a full inquiry—an investigation, if you like—into Walkerton, and we look forward to those results.

Ms Churley: Premier, you chose to cut taxes over people's health and the environment; that was the choice you made. You killed the only funding program dedicated exclusively to helping municipalities improve their water and sewer systems. Even with the new investment, the MOE budget is still \$43 million less than when you took office.

Even the member for Bruce-Grey-Owen Sound says your government's new water regulations won't work if you don't give municipalities the money to meet the standards. Now the member says that you are going to reach a compromise. Premier, we would really like to know what that compromise is going to be. Are you going to restore funding or are you actually going to weaken the requirements? Which is it, Premier?

Hon Mr Harris: I think I should, first of all, correct the record. The tax reduction program from the massive tax hikes that you and the Liberals brought in is what led to the jobs, the growth, the prosperity and the \$15 billion more of revenue. It's only with that \$15 billion that we were able to balance the books and put \$5 billion more in health care, while Liberals slashed funding from health care. It's the only way we've been able to increase funding for public education. It's the only way we've been able to increase funding in a whole number of areas.

With regard to the inquiry, Justice O'Connor is undertaking a comprehensive review of the events in Walkerton. He will be bringing forward recommendations. I look forward to receiving the recommendations. I think all of Ontario does. I'm sure Quebec does, because they've made some initiatives in the wake of initiatives that Ontario has made. I think they acknowledge Ontario's initiatives there. I don't think that it serves anybody well to prejudice, if you like, the investigation that Mr Justice O'Connor has undertaken.

IPPERWASH PROVINCIAL PARK

Mr Gerry Phillips (Scarborough-Agincourt): I want to follow up with the Premier on the Ipperwash situation. The Attorney General, in his answer, indicated that one reason why you are not prepared to commit today to a public inquiry is because, in your opinion, the George family has not been categorical in their decision to agree to withdraw their civil case. Is that the reason why you're not agreeing today to an inquiry, Premier?

Hon Michael D. Harris (Premier): I think the Attorney General can respond.

Hon David Young (Attorney General, minister responsible for native affairs): I appreciate having an opportunity to clarify the matter. I thought it was clear when I spoke earlier, but if the member opposite wishes some further details, I'm happy to provide them to him.

The position of the defendants in this lawsuit is that they are entitled to a day in court, they deserve a day in court, they want to proceed forward to a day in court. The reality is that a civil action will provide an opportunity for all of the issues in dispute to be aired fully and for a decision to be made.

Mr Phillips: Premier, I go back to what the George family has said to you since this incident, that they have one interest and one interest only, and that is in finding out what role you had in the situation, what role your cabinet had and what role your government had. In my opinion, there is substantial evidence of inappropriate behaviour.

You are forcing the George family. The legal bills now are approaching \$1 million: your legal bill, the legal bill of the other cabinet ministers.

The George family has said from the start, Premier, that they would not launch this suit if you would have a public inquiry. They have said today they would stop their civil case if you have an inquiry. Will you, Premier, agree to do the decent thing and finally call a public inquiry so we can get to the bottom of what happened at Ipperwash and stop bankrupting the George family?

Hon Mr Young: I think it's worthwhile to take a moment and to consider just how far along the civil action is. The process is well underway. Literally thousands of documents have been exchanged. There is a schedule for discoveries, a schedule that will likely result in those discoveries being completed by year-end, and thereafter a trial will be scheduled and the issues that are in dispute can be resolved.

I say to you that the defendants expect and deserve their day in court. They have done their utmost to advance, to expedite, to move along this civil action so that all of the issues that have been hanging out there, including some very serious allegations made against senior government officials, can be resolved once and for all.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: The Premier of Ontario was heard by a number of members of this caucus—

The Speaker (Hon Gary Carr): I say your member down there is doing just as much yelling. Don't talk to me about the time. Members will know I quite frankly was looking at other members during this period of time and members were shouting things out. I would ask all members, we're dealing with a very, very controversial issue.

Interjection.

The Speaker: Order. He can get up at any time and do that. I thank the member. All members know they can get up and do that.

It's not a point of order. I listened very carefully. In addition, I have the table listen very carefully as well. It is very difficult when the honourable members, both sides, treat each other like this in all circumstances. I would ask all members on this very delicate situation to try and remain as cool as possible under these very difficult circumstances.

Mr Duncan: On a point of order, Mr Speaker: I would ask if the Premier would withdraw that comment.

Interjections.

The Speaker: OK. That's enough. The next one who shouts out something is out, on any side, starting right now. The Minister of Labour, your last warning. You caught it by the very skin of your teeth on that one. We are not going to continue with this. No more points of order.

CHILD WELFARE

Mrs Julia Munro (York North): My question is for the Minister of Community and Social Services. Minister, one of the major initiatives this government has undertaken is the reform of the child welfare system. One of the most crucial parts of that system is foster parents. The supportive and caring environment provided by these families is a remarkable commitment and a crucial contribution to the well-being of these children. What is the government doing to support these families?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): Child welfare reform and the protection of vulnerable children has been a real priority for this government over the last five or six years. I want to certainly say and indicate to the member that we recognize that foster families and foster parents are the backbone of the system.

We do recognize the need to revitalize foster care in the province of Ontario, to strengthen the existing capacity of that system and, as well, to seek to find new foster families and recruit them into the system so that more children can obtain the benefits from that.

We've done two significant things in this regard. Most importantly, we've increased the base rate for foster care by 80%. We've gone from \$14 a day to \$26 a day to support foster parents. We've also introduced more flexibility into the funding system. We can provide up to \$67 a day to help meet the unique and challenging needs of children with a disability.

1510

Mrs Munro: Many people in my community who are involved in fostering have told me they are also concerned about the need to increase the number of families providing foster care. Clearly we have to be working together to strengthen the foster care system and find more families that are willing and able to open their homes to a child in need. What action is the government taking to make sure this vital service will be there for children in the future?

Hon Mr Baird: I recognize the concerns that are out there. I recognize the concern she's brought to me as a member representing folks in her constituency. The government is partnering with the foundation of the Toronto children's aid society to launch a provincial strategy to recruit more foster families. We'll be providing \$100,000 in each of the next three years, matching \$100,000 from them, to launch a recruitment campaign to find more

foster homes and also to increase public education about the importance of foster care.

This \$600,000 initiative has a simple purpose, has a simple goal: to try to increase the number of foster homes, of foster parents, by 20% over the next three years, which is a big goal but one we're committed to work hard to try to achieve.

DOCTOR SHORTAGE

Mr Michael Gravelle (Thunder Bay-Superior North): My question is to the Premier. Premier, you need to know that the physician shortage crisis continues to worsen in the city of Thunder Bay. Over 40,000 people are stranded without a family physician. To make matters worse, Dr Andrew Affleck, the head of emergency at Thunder Bay Regional Hospital, has told me we are short six full-time equivalent physician positions at the emergency department, leaving him scrambling to fill shifts on a daily basis.

The latest blow came when Dr Walter Kutcher, Thunder Bay's only full-time gastroenterologist, announced recently that he was leaving due to the extraordinary demands and the lack of action by this government. I met with Dr Kutcher last week and he told me he would consider staying if another gastroenterologist could be found and if your government took some of the suggestions they have already personally given you that would deal with retention issues for doctors.

Premier, I understand you are coming to Thunder Bay next week for a golf tournament and a fundraiser. Dr Affleck has written you on behalf of the Thunder Bay Physicians Planning Group, asking you to find time to meet with them while you are in the city. Will you agree today to meet with our local physicians while you're in Thunder Bay to hear their recommendations for solving this crisis?

Hon Michael D. Harris (Premier): I think the member shared with me some of the suggestions the doctor had given me, through him. We welcome all those suggestions. In spite of the massive amounts of dollars and incentives to try to get doctors and specialists into underserved areas, it has been a big challenge, not only for this government but for all governments in Canada, and I think the member is aware of that.

We always welcome those suggestions and advice. I'm always happy to try to meet with as many people as I can who have ideas. I'd be happy to take the suggestion in mind. I am in the northwest, as you know, on a number of occasions. We are talking about a new job creation initiative in Thunder Bay, I believe next week. If it fits into the schedule, I'd be happy to consider that.

Mr Gravelle: Premier, what I'd like is confirmation that you will meet with the doctors in our community. If I may, I'll send you over a copy of the letter Dr Affleck has sent to you, if I can get one of the pages to bring it over. I think you're going to find that what is most frustrating for the immensely overburdened physicians, let alone the citizens of Thunder Bay who are experiencing

on a daily basis the lack of accessibility to quality health care, is that many of the short-term solutions have been talked about and recommended for years.

You've spoken of streamlining the process by which foreign-trained physicians can practise in Ontario, yet there's been no real action taken, and many physicians who want to practise in Thunder Bay are, as a result, heading to other provinces to live and to work.

Dr Kutcher also told me that a reasonable retention bonus would make an enormous difference in recruiting and retaining doctors in the north, which even makes sense fiscally when you consider the enormous costs we are paying to fly locums into our community to deal with our extraordinary shortages.

We are desperate and we are scared in our community. We're scared that things will only get worse unless you take some immediate action. Will you confirm that you'll meet with the local doctors? Will you commit to the people of Thunder Bay that you'll take the action that's needed to turn this crisis around and that it'll be your number one priority when you come to Thunder Bay?

Hon Mr Harris: As you know, I met with Dr Affleck in fact last year when I was in Thunder Bay. The minister has met with Dr Affleck as well. We have adopted a number of the initiatives they proposed to us. The fast-tracking of foreign-trained specialists, for example, was part of the announcements we have made this spring as well. Certainly we are trying to make it more attractive to practise in northwestern Ontario. I would be the first to say that in spite of the initiatives we've taken, in spite of the \$5 billion of new money we've put into health care while the Liberals in Ottawa slashed funding to us, in spite of all these initiatives, there is still more to do.

Dr Affleck and his group have had a meeting with me and with the minister, and we are doing our very best to meet their needs. Am I going to commit today to yet another meeting? If there is something new they have beyond what they had when they met with me or the minister, that would be fine, but I think you would agree that there are 11 million—

The Speaker (Hon Gary Carr): The Premier's time is up.

ONTARIO NEW HOME WARRANTY PROGRAM

Mr R. Gary Stewart (Peterborough): My question is to the Minister of Consumer and Business Services. I understand from my constituents that the coverage offered by the Ontario New Home Warranty Program is providing protection from a variety of factors that can impinge on what may be an individual's or a family's single greatest investment. Last month the Ontario New Home Warranty Program celebrated its 25th anniversary. Can you please tell us how the Ontario New Home Warranty Program has developed over those 25 years?

Hon Norman W. Sterling (Minister of Consumer and Business Services): I can't trace all of the 25 years over this short period of time, but back when the Ontario

New Home Warranty Program began there were only 15,000 new homes built each year in this province; now there are 60,000. This program, over the last 25 years, has produced unparalleled protection for new homeowners. Over \$170 million in claims has been paid out across our province.

The good news about this is that the Ontario New Home Warranty Program has been able to drop its fees consistently over the last couple of years because the program is working better and the builders are producing better buildings. The fact is that those total reductions are now some \$220, down around \$500 or \$600 per new home for this great protection.

Mr Stewart: Thank you, Minister. Obviously customer protection is very important to this government. Could you also tell us what kind of protections and services are offered by the Ontario New Home Warranty Program for Ontario new home buyers? As well, many small builders in my riding and in Ontario have indicated to me that they want an alternative protection plan to be considered.

Hon Mr Sterling: Recently there has been a review of the Ontario New Home Warranty Program and its structure. We have looked at various different alternative models, for instance, an insurance model, and we're still continuing to look at it. However, I must say that the unparalleled success this particular organization has had over the last 25 years makes me somewhat reluctant to strike out in a new direction, because of that success and what they have done in the past. In my opinion, they really have proved their worth. They protect people for deposits up to \$20,000 on their new home. There is a full warranty for defects for one year on materials. There is a structural warranty for seven years on the major structural components of the building.

I don't know of any other jurisdiction that has such protection for new home buyers. I'm proud of the fact that our province of Ontario created this in a previous Conservative government. It has continued to live through New Democratic and Liberal governments and it is continuing to survive in another Conservative government.

PETITIONS

PROSTATE CANCER

Mr Rick Bartolucci (Sudbury): This petition is to the Ontario Legislature.

"Whereas prostate cancer is the fourth leading causes of fatal cancer in Ontario;

"Whereas prostate cancer is the second leading cause of fatal cancers for males;

"Whereas early detection is one of the best tools for being victorious in our battle against cancer;

"Whereas the early detection blood test known as PSA (prostate specific antigen) is one of the most effective

tests at diagnosing early prostate cancer;" and whereas the Minister of Health's inaction and the Mike Harris government's policies is literally causing men to die needlessly;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to encourage the Ministry of Health to have this test added to the list of services covered by OHIP, and that this be done immediately in order for us to save lives and beat prostate cancer."

Of course I affix my signature to this petition, as I am in agreement with it.

1520

AFFORDABLE HOUSING

M. Gilles Bisson (Timmins-Baie James) : J'ai une pétition ici adressée à l'Assemblée législative de l'Ontario qui se lit :

"Whereas the annual rent increase guidelines for multi-unit residential dwellings in Ontario increase every year more than the rate of inflation and more than the cost-of-living increase for most tenants;

"Whereas no new affordable rental housing is being built by the private sector, despite the promise that the implementation of vacancy decontrol in June of 1998 would encourage new construction;

"Whereas one in four tenants pays over 50% of their income on rent;

"Whereas over 100,000 people are on the waiting list for social housing, homelessness has increased as a result of unaffordable rents;

"We, the undersigned, petition the Legislative Assembly of Ontario to implement an immediate province-wide freeze on rents which will stop all guideline increases, above-guideline increases and increases to maximum rent for all sitting tenants in Ontario for a period of at least two years."

I sign this petition and give it to the page here, Sabrina.

EDUCATION TAX CREDIT

Mr Steve Gilchrist (Scarborough East): "To the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I'm pleased to sign my name to this petition.

ONTARIO DISABILITY SUPPORT PLAN

Mr Ernie Parsons (Prince Edward-Hastings): "To the Legislative Assembly of Ontario:

"Whereas the objective of the Ontario disability support plan (ODSP) is to eliminate the stigma of 'welfare' and provide income support to meet the needs of persons with disabilities; and

"Whereas our province will benefit from supporting and encouraging the employment of persons with disabilities; and

"Whereas the present ODSP monthly allowance of \$930 for a single person fails to meet basic living requirements; and

"Whereas a person in receipt of ODSP is allowed to earn only \$1,920 per year employment income without penalty, therein removing incentive to break free of assistance; and

"Whereas this government has made ODSP a barrier to independence for persons with disabilities and in so doing, thwarted personal self-esteem;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Amend the Ontario disability support program such that recipients are not forced to live in poverty without hope. Truly help persons with disabilities find and maintain employment so that they can live productive, independent lives. Enact a meaningful and effective Ontarians with Disabilities Act by November 23, 2001."

I am pleased to add my signature to this petition.

EDUCATION TAX CREDIT

M. Gilles Bisson (Timmins-Baie James): Une autre pétition, cette fois-ci signée par des gens de Timmins qui sont venus à un meeting vendredi passé dans le comté faisant affaire avec l'éducation. Ça se lit :

"To the Ontario Legislature:

"Whereas the Harris government is planning to take funds that our public schools desperately need and funnel them to private schools through a tax credit; and

"Whereas the government plans to give parents a \$3,500 enticement to pull their kids out of public schools; and

"Whereas this initiative is in effect a voucher system and is the beginning of the end of quality public education in Ontario,

"Therefore we, the undersigned, call on all members of the Legislature to fight and defeat this attack on the choice parents most want: stability, co-operation and respect in clean, safe public schools."

The Speaker (Hon Gary Carr): The member for London West.

Mr Bob Wood (London West): I have a petition signed by 184 people.

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

ACCESS TO RECREATION AREAS

Mr Michael A. Brown (Algoma-Manitoulin): I have a petition signed by about 200 residents of the fine town of Hornepayne.

"To the Legislative Assembly of Ontario:

"Whereas a number of trails originally made by local people for access to camps and hunting/fishing areas were arbitrarily taken over by snowmobile clubs without consultation or dialogue with those who have historically used those trails;

"Whereas the snowmobile clubs now intend to charge a yearly fee per snow machine for all those who use the trails, regardless of purpose;

"Whereas it is unfair for people who have no intention of using the trails for touring purposes to be denied access to their camps or recreation areas unless willing to pay for the privilege;

"We, the undersigned, petition the Legislative Assembly of Ontario to establish a radius within which people would not have to pay for trail use, thereby protecting local interests without depriving the snowmobile clubs of income from those who are legitimately using the trails for touring."

EDUCATION TAX CREDIT

Mr Rosario Marchese (Trinity-Spadina): I've got petitions from hundreds of Ontario citizens opposed to the governments initiative to support private schools:

"Whereas the Harris government is planning to take funds that our public schools desperately need and funnel them to private schools through tax credits; and

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools; and

"Whereas this initiative is, in effect, a voucher system and is the beginning of the end of quality public education in Ontario,

"Therefore, we, the undersigned, call on all members of the Legislature to fight and defeat this attack on the choice parents most want: stability, co-operation and respect in clean, safe public schools."

I support this petition.

The Speaker (Hon Gary Carr): Petitions?

Mr Wayne Wettlaufer (Kitchener Centre): I'm delighted to present this petition. It's signed by several hundred people from in and around my riding in Kitchener.

"To the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I am pleased to affix my signature.

NURSES

Mr James J. Bradley (St Catharines): This is to the Legislative Assembly of Ontario:

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions."

I am prepared to sign this petition as I'm in complete agreement.

1530

AFFORDABLE HOUSING

Mr Rosario Marchese (Trinity-Spadina): I've got a petition from many tenants who support my bill for a rent freeze for all tenants in Ontario:

"Whereas the annual rent increase guideline for multi-unit residential dwellings in Ontario increases every year more than the rate of inflation and more than the cost-of-living increase for most tenants;

"Whereas no new affordable rental housing is being built by the private sector, despite the promise that the implementation of vacancy decontrol in June of 1998 would encourage new construction;

"Whereas over 100,000 people are on the waiting list for social housing, homelessness has increased as a result of unaffordable rents, and high rents are a direct cause of the national housing crisis;

"We, the undersigned, petition the Legislative Assembly of Ontario to implement an immediate province-wide freeze on rents which will stop all guideline increases, above-guideline increases and increases to maximum rent for all sitting tenants in Ontario for a period of at least two years."

I sign this petition in support.

EDUCATION TAX CREDIT

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

DOCTOR SHORTAGE

Mr Michael Gravelle (Thunder Bay-Superior North): This petition is signed by 40,000 residents of Thunder Bay and the district. It's related to the shortage of physicians, and I'd like to read it into the record, a community letter to the Premier of Ontario.

"Dear Premier:

"Our community is facing an immediate, critical situation in accessing physician services and in providing hospital care to the people of northwestern Ontario. While the recruitment and retention of physicians has been a concern for many years, it is now reaching crisis proportions. Training more physicians in northern Ontario is certainly the best response to this problem in the longer term. We are, however, in urgent need of support for immediate short-term solutions that will allow our community both to retain our current physicians and recruit new family doctors and specialists in seriously understaffed areas.

"Therefore, as residents of Thunder Bay and northwestern Ontario, we urge you to respond to our community's and our region's critical and immediate needs. For us, this is truly a matter of life and death."

I am very pleased to add my name to this petition.

EMERGENCY CONTRACEPTION

Mr Gerry Martiniuk (Cambridge): I have a petition to the Legislative Assembly of Ontario.

"Whereas on December 1, 2000, the government of British Columbia changed the pharmacy bylaws enabling pharmacists for the first time ever to prescribe a product (emergency contraception) directly to patients without their ever having to see a physician; and

"Whereas pharmacists have no idea with respect to the patient's medical history, undiagnosed blood disorders or whether the requested medication is actually for the person making the request; and

"Whereas the primary action of the emergency contraception is to prevent implantation of a new human being in the uterus, thus causing his/her death; and

"Whereas there is limited health safety data available on the emergency contraception, including but not limited to the safety of long-term use in frequent users,

"We, the undersigned, petition the Legislative Assembly of Ontario to make no changes to the pharmacy bylaws in Ontario or use any other means which would enable over-the-counter sales of the emergency contraception in Ontario."

I affix my signature thereto.

NURSES

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario.

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions."

I have petitions with another 2,000 names, some on the backs of the petitions. That makes a total of over 12,000 names of people who share the concerns expressed. I affix my signature in full agreement.

OPPOSITION DAY

ELECTRICITY POLICY

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): On behalf of my colleagues in the Liberal opposition, I am proud to move the following resolution:

Be it resolved that this House demands that the government immediately:

Enact an Ontario-first electricity policy that guarantees that Ontario electricity will be used to provide Ontarians with a reliable, affordable supply of power;

Create a strong regulatory and genuinely competitive power generation environment that will produce a mix of electricity providers—public and private, large and small, and those providing green power—to assure a sufficient supply and eventually lead to lower rates;

Stop the monopolization of the electricity retail sector by Hydro One;

Introduce consumer protection and information programs to educate Ontarians about the changes to the province's electricity marketplace;

Revoke Ontario Hydro's successor companies' exemption from Freedom of Information legislation; and

Establish an all-party select committee to oversee Ontario's electricity policy, including the transition to a competitive marketplace, the activities of Ontario Hydro's successor companies and conflicts of interest that exist as a result of the restructuring of Ontario's electricity market, including situations in which the government is in a conflict of interest and is favouring the interests of big business and other friends of the government.

The Speaker (Hon Gary Carr): Mr Conway has moved opposition day number 4.

Mr Conway: I'm pleased to rise today on behalf of my colleagues to address, from the Liberal Party's position, very key concerns we have about the electricity marketplace in Ontario. The cornerstone of the Ontario Liberal electricity policy is that it must be an Ontario-first policy. We are deeply concerned that the Harris government is embarking upon a program to expose the electricity ratepayers of this province—residential, farm, industrial and commercial—to a policy that is going to serve the interests of perhaps our American friends better than it's going to serve the interests of the domestic Ontario consumer.

Let it be very clear that the Ontario Liberal Party believes that a cornerstone of a good electricity policy has to be an Ontario-first attitude. The millions of men and women who live and work in this province expect that the natural resources of this province that are a critical part of the generating of electricity are going to be deployed to the interests of Ontarians. The free marketeers who have given the Harris government its so-called deregulation policy, we fear, are more interested in Bay Street and these hydro companies doing well in the American market than they are in serving the interests of the Ontario market.

Our resolution today, the Ontario Liberal Party resolution on electricity policy, says first and foremost, "Let our policy be an Ontario-first policy." We recognize and we accept that there have to be changes, and I want to say to my own colleagues what I've said in caucus: that we have to go forward recognizing that the experience of the last 35 or 40 years has made plain that we have to consider creative change. But let me be clear: electricity is not a commodity like others. Electricity, as you will know, is a commodity that we absolutely must have and we cannot store. Those two features, the absolute importance of electricity to a modern society and the fact that you can't store it, give electricity a political salience like no other commodity I can imagine.

When these free marketeers talk about, "Let the market decide," I ask them, "Do you not understand how electricity, particularly in a northern climate like ours, where for four or five months of the year we have sub-arctic conditions, is not a commodity like others?"

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): Even in May.

1540

Mr Conway: The fact of the matter is, I say to my friends opposite, from November 1 to April 1 we have very severe winters. My friend from Brockville and I will remember the experience of a few years ago when a big swath of southeastern Ontario and southwestern Quebec were without electricity for 10, 12 days. The ice storm of the late 1990s was a powerful reminder of just how essential electricity is to a modern economy.

The first point I want to make is that we believe, as Ontario Liberals, that we must have an Ontario-first electricity policy. I am not interested in the plans that Bay Street has to make money in the American market by either selling our electricity down there or, more worrisomely, selling our very valuable electricity assets in the United States market. Our interest as Ontario Liberals, and I would hope our interest as Ontarians, is to devise an electricity policy that puts the interests of Ontario consumers first. I don't see that Ontario-first dimension in the Harris government's electricity policy.

The second point I want to make on behalf of my colleagues is that we believe we can have a reasonably competitive market in the generation of electricity. I personally strongly believe that since Ontario Hydro was never intended to become what it became in the post-Second World War era, namely a monopoly generator, we should contemplate and devise an electricity policy that imagines a number of generators. As our resolution says, large and small, public and private—and, yes, there should be a government-mandated green or renewable electricity standard. Make no mistake about it, I and we in the Liberal caucus believe that the absolute critical dimension of this whole question of our electricity policy is in generation. We have simply got to find ways, affordable and environmentally acceptable ways, to generate the 25,000 or 30,000 megawatts we require to sustain the modern Ontario economy. Unlike the American vice-president, I believe, as I hope all members believe, that demand management and conservation are very important parts of the strategy, as is renewable energy and a green power standard.

One of the key questions for me as the energy critic for the Liberal opposition is the whole question of generation: how do we create an environment where we get the generation we're going to require to meet present and future demands? You know, I was in Quebec the other day and I was very interested to hear from Quebec Hydro as to how they've gone forward. They have something called a heritage pool of electricity: 165 terawatt hours have been set aside by the Quebec Legislature, the National Assembly, at a fixed price, something below three cents a kilowatt hour, in perpetuity for the Quebec domestic market, for the home market in Quebec. My question is, why have we not got, in the interests of an Ontario-first electricity policy, a similar commitment to protect our home market?

Make no mistake about it: under the Harris plan our electricity price-setters are now going to be in the Great Lakes basin, mostly south of us, in places like Saginaw, Michigan; Toledo, Ohio; and Syracuse, New York. Our domestic market in Ontario is very exposed to upward pressure because the government's electricity policy assumes a price-setting mechanism that is essentially south of the Great Lakes.

Quebec has proceeded with a policy that recognizes the need to protect the home market with home resources. I'm not saying our situations are exactly parallel, but I think we have a good example in the Quebec electricity policy of how we might meet the Ontario-first requirement.

I know there are people on both sides of the Legislature who, I suspect, given the current uncertainties, would want to return to the old days where Ontario Hydro generates all of the electricity. I happen not to be one of them. I do believe that there has to be a significant public presence in the generation of electricity, and when I say "public," I mean what we now call Ontario Power Generation, but I also mean public in the sense of local municipal electric utilities: the Toronto Hydros, the Ottawa Hydros, the Pembroke Hydros. Many of those utilities have the ability to generate their own electricity. That's public power, and I think we should certainly encourage that. But governments of all stripes here in the last 15 years have encouraged non-utility generation. Most of it's private. It has not delivered quite what we had expected of it in the last 10 or 15 years, but I do not think the past experience with non-utility generators is such that we should simply say we do not want to allow small, regionally dispersed generators, many of which will be private, to do business in the Ontario market.

So let me be clear. The electricity market that we as Liberals envisage is one where we see a competitive market in the generation of electricity with a goodly number of generators, many of which will be public. Some of those will be Ontario Power Generation; others will be owned and operated by municipal electric utilities. And, yes, we contemplate that there will be some private generators and hopefully some new public and new private coming to the Ontario market. I believe it's only when we get that mix of generators that we're going to have an opportunity. I see my friend from Brockville is here. He will know that Gananogue Power is down in his part of the province, meeting the local demand, and I think, from all reports, quite well.

We have to contemplate a substantial investment in new generation. All of us have to face the painful choices that environmental policy is going to impose upon us. And I'm going to tell this Legislature what I assume it knows, that some of those choices are going to be difficult.

I, for one, certainly would like to see as much of the dirty coal-fired electricity as possible replaced by much more environmentally accepted and benign means and methodologies, but I suspect to do that in the current and

intermediate environment is going to put some upward pressure on price.

Whatever we do in terms of generation, I think the new market is certainly going to require a rigorous and ruthless regulation by a public regulator, and I don't believe we've got that now. I was interested in the exchange today between the Minister of Energy and the leader of the third party. I can tell you that what the Minister of Energy said about what the energy board is capable of is largely a fairy tale. The energy board is besieged with too much work, much of it very complicated, and with a real difficulty in terms of meeting that current workload with the resources assigned to it. But let me be clear. We need a competitive marketplace, I believe, that is rigorously and ruthlessly regulated in the public interest by a public regulator, and we are a long way from having the kind of teeth and the kind of resources in that public regulator that the public interest requires.

Mr Speaker, it's not your voice that's the problem here.

Let me just say a couple of other things.

Mr Joseph Spina (Brampton Centre): There's a microphone.

Mr Conway: I know, and I'm over here. I don't mean to be rude, but it is difficult. I would hope if I were doing it, somebody would tell me to move elsewhere, as they often do.

The other point I want to make: the government received advice from the so-called Macdonald commission. The Macdonald commission reported five years ago on electricity and said there were some things that were absolutely important. First and foremost, the Macdonald group said you simply have to create a competitive marketplace for generation. If you don't do that, this panel of experts said, you're going to have a real problem. We haven't done that.

Interestingly, Macdonald said—and I didn't agree with everything they said—the first important step in this process was to break up the generating assets of the old Ontario Hydro and assign them to a number of publicly owned but competitive companies. We didn't do that either. The Harris government is now caught with a basically contradictory electricity policy. It says it wants competition but it essentially continues to have a monopoly environment.

1550

The other thing Macdonald said was, "For heaven's sake, do not let Ontario Hydro expand its retail business," and what have we got? We have got, in our faces, the monopolization of the retail sector by Ontario Hydro, and it is absurd. Nobody who has been around this debate for any length of time thinks that is a necessary or a sensible thing. Ontario Hydro One is out spending \$250 million to buy what? Brampton Hydro. There is absolutely no case for that, and independent experts like Macdonald said, "Don't do it." Well, this crown corporation called Hydro One is doing it in our faces with a middle finger salute to

this Legislature, at a huge cost to the ratepayers and the taxpayers. It is unbelievable.

We talk about accountability. We talk about doing what we said we were going to do. It is amazing, given what we've been through with Ontario Hydro, that we've got the spectacle of this crown corporation, this successor company called Hydro One, out spending money it does not have to buy local utilities like Brampton Hydro, to name but one—I could name Thorold and I could name dozens of others—and experts say they're paying premium prices, in the range of about a 30% or 35% premium, to buy these companies. To what end? For what purpose?

I submit that we ought to stop the remonopolization of the retail sector in electricity, just exactly the way Macdonald said it should not be happening.

Consumer protection: If there is going to be a change, if we're going to give the public a choice, they need to have some information as to what a person would do to exercise an informed opinion. There is virtually nothing being done by the government of Ontario to assist utilities and to assist consumers trying to sort out this miasma of complex and conflicting information, and that's just incredible. We were told in the committee a couple of years ago, "If you're going to move toward a competitive marketplace, you'd better take rigorous action to inform the consumers."

Today I'm told that about 20% of residential consumers have signed up with a couple—and there really are only a couple—of retailers, Direct Energy and Toronto Hydro Energy. I'm going to tell you, Mr Speaker and colleagues, when this market opens, hundreds of thousands of your constituents are going to be shocked to find out what it is they've signed up for. We have done precious little to help those people make an informed choice, and that's got to stop.

I have a couple of other final observations. Two years ago, Dr Cavoukian, the Information and Privacy Commissioner, came to the committee looking at this whole policy around a new electricity policy. Dr Cavoukian said that you should not exempt Ontario Hydro successor companies from the freedom-of-information legislation, for a whole series of reasons. Time doesn't permit me to enumerate those, but I believe she was right. We know much less about Hydro's successor companies today than we did two and three years ago about the old Ontario Hydro.

Make no mistake about it: on a daily basis, companies that we own—Ontario Hydro One and Ontario Power Generation are essentially today crown corporations with one shareholder, the Ontario government. They are acting with our blessing, indirect though it may be, with our sanction, spending the public's money in ways that we have very little understanding of. And what is the experience of the last 30 or 40 or 50 years with Hydro? You find out years and decades later that the costs and the commitments were fantastically greater than anybody ever knew at the time.

We have a fiduciary responsibility as honourable members of the Legislature, including those in government, to protect the public interest.

On this policy, I say again, if everything goes well with this electricity business over the next few years, there are going to be very difficult and painful times. This is not easy and I want to make it plain that anybody charged with the responsibility of government in this case has a very difficult situation with which to deal. But it is incredible to me that this Legislature, with all we went through in the last number of years and decades, does not seem to be at all interested in exacting a better standard of accountability for what's being done, particularly policy that is a flagrant contradiction of what was advised and what was advertised.

A final point I want to make before my colleagues join this debate: one of the deeply troubling aspects about the electricity game as it's now constituted is that we, the government, and we, the Legislature of Ontario, have a complete conflict of interest. We own the companies. To use the hockey analogy, we own the arena, we own the biggest team on the ice and we own the second- and third-biggest teams on the ice too. We pay the referee, we hired the referee, we wrote the rules and we have a vested financial interest in the outcome of the game. I'm not making that up. That is reality.

This electricity business is enormously important and it is shot through with all kinds of conflicts. Who is watching out for the consumer, for the taxpayer and ratepayer? I don't mean even this as a partisan criticism of the current government. The government of Ontario has a huge conflict of interest in this business. That's why I believe this Legislature should establish an all-party select committee that would have a mandate over the next couple of years to look at a number of the specific and important issues that arise from this change. Without that, and with an underfunded, overburdened energy board, quite frankly we are giving Mr Farlinger over at OPG and the people at Hydro One a *carte blanche*.

As I take my seat, I see all kinds of evidence that suggests that not days and months from now, but years from now another Legislature, another government is probably going to be standing up and announcing, "Oh, my goodness, prices have gone up, public indebtedness has skyrocketed, assets have gone out the front and back doors and we've got a shortage of electricity." I think we have an obligation that we have not been discharging to develop and implement an electricity policy that puts the interests of Ontario consumers first and foremost. That's why we, as the official opposition, have put this resolution before the Legislature today for your consideration and support.

Mr Howard Hampton (Kenora-Rainy River): I would like to ask unanimous consent to move an amendment to the Liberal motion. I know this is unusual, but in this case it's important to emphasize that the Liberal position on privatization and deregulation of hydro-electricity is virtually the same as the Harris govern-

ment's position. Therefore, I would like to move an amendment and I'm asking for unanimous consent.

The Speaker: Is there unanimous consent?

Mr Conway: No.

Mr Hampton: Since the Liberals won't allow me unanimous consent, let me illustrate, point by point, how identical the Liberals' position is to the Conservatives' position. I say to the Conservative members, you should probably vote for this resolution because if you read the notes the government distributed when you introduced your own 1998 electricity deregulation bill, it's virtually identical to this motion.

Let me go through it point by point. So far we have seen that in their public comments and in their votes in this House, the Liberals have been very clear that they support the Harris government's dirty deal to sell off our electricity system. I heard a quote from the Liberal leader where he said that the Liberals are absolutely in favour of deregulation, privatization and, as they say, the competitive market.

They agree with selling off our electricity system. They voted against our motion a couple of weeks ago that said we should maintain a public system, that we should not go down the road California has gone down, where they sold off their electricity system to international energy companies and those international energy companies have only one interest: raise the price as high as you can and maximize your profits. If that means some people don't get electricity when they turn on the switch because they can't afford the higher price, they don't care. They're not interested in providing electrical service. They're interested in maximizing the price and the profit.

1600

What the Liberals are really trying to do today is that, after they have agreed in principle with your deregulation and privatization of hydroelectricity, they now want to muddy the waters a bit and try to create some room for themselves.

But the fundamental fact is this: when you sell off a lot of our existing generating capacity to private international energy corporations, and then you integrate our electricity market with the New England electricity market and the Midwestern electricity market in the United States, as this government is in the process of doing, you're going to drive up prices. Why? Because what happens when you integrate the market is that the price gets decided by whoever is willing to pay the most for the power.

Right now, in New York City the price of electricity is 123% higher than it is here; in Boston it's 85% higher; in Detroit it's 60% higher; in Chicago it's 50% higher. If somebody comes along and buys up four or five of Ontario Power Generation's electricity stations, they're not going to want to sell the power here in Ontario for the existing price. They'll want to get it to New York or Boston as fast as they can and sell it for two or two and a half times the price. Then they're going to say to Ontario

residents that if we want electricity, we pay the same price they're paying in New York or Boston.

If people really want a comparison, all they need to do is look at what's happened to natural gas prices over the last year. Natural gas operates in a deregulated, privatized environment. What we've seen was that the Midwestern United States was willing to pay a lot more for natural gas, and therefore those private energy companies said, "This is what we can get selling the natural gas in Chicago, so you people in Ontario are going to have to pay the same price." People are seeing their natural gas bills go up by 60%, 70% and 80%, and they're going to go up even higher.

There shouldn't be a lot of mystery here. If you sell off your system, as California did, to international energy companies, those international energy companies will want to maximize price and profit. If you put us in the context of the New England electricity market and the Midwestern United States electricity market, prices will go up and they'll go up substantially. This is what we've seen in California.

The Liberals want to ignore that. They also want to ignore the fact that George Bush, the new President of the United States, has said very clearly that they know they're facing an electricity shortage in the United States. They want our electricity. In fact, George Bush said he would build the transmission lines to get it. Privatizing the electricity system, selling it off to international corporations, is just going to make it easier for George Bush to get it.

I know that Mike Harris and this government are willing accomplices to what George Bush and Dick Cheney, the US Vice-President, want. They want a continental electricity market. I know this government fundamentally believes in that. That's what you say you believe in: let the market decide. Let the market decide the price. Let the market decide who gets electricity and who doesn't get electricity.

I just point out that this is the Liberal position as well. The Liberals are also willing accomplices in this. But they want to now create a few wrinkles that make it look as if their position is really different.

I'll go through the Liberal motion in detail. For example, they say they want to "enact an 'Ontario First' electricity policy that guarantees that Ontario electricity will be used to provide Ontarians with a reliable, affordable supply of power." In fact, if you read this government's electricity deregulation act of 1998, that's what it says. This government says it wants Ontario-first as well, but the reality is that once you sell it off to international energy corporations and once you have NAFTA, you can't have an Ontario-first policy.

The only way you can consistently look after Ontario people, Ontario consumers and Ontario industry is to maintain public control, as Manitoba is doing, as Saskatchewan is doing, as British Columbia is doing, as Quebec is doing. They recognize that if we're not going to see our prices go up as they've gone up in California, if we're not going to follow the New York price or the

Boston price, they have to continue to have public control and operate their provincial hydroelectricity system as a public utility.

Liberals say they want an Ontario-first policy. I just say again that once you sell it off to international energy corporations, and under the auspices of NAFTA, you can't have that. You can't. Someone is going to say, "The National Energy Board will say that you have to look after Ontario needs first." The National Energy Board can't control price. All the National Energy Board can say is that whatever you're willing to sell for in the United States, if you can get this amount in the United States, then Ontario consumers, in order to be assured of some security of supply, have to pay the same price. So the National Energy Board would preside over this increase of price to the New York level or the Boston level, but the National Energy Board could not mandate that the electricity has to go here first.

This Ontario-first strategy is empty. The only way you can ensure that Ontario industries and Ontario consumers have an assured supply at a reasonable price is to maintain what we have now: a public utility system. I'll tell you, California right now is actually putting together the makings of re-establishing public ownership and public control over their electricity system. The government of which this Conservative government said, "We should copy California," is now saying, "Whoa. Don't go down this privatization and deregulation road that leads to incredible instability and much higher prices." Liberals agree with Conservatives on this: they want to sell off Hydro, they want to deregulate the market.

The Liberals then say they want to "create a strong regulatory and genuinely competitive power generation environment that will produce a mix of electricity providers—public and private, large and small, and those providing green power—to assure a sufficient supply and eventually lead to lower rates." It all sounds good. In fact, do you know what? If you go back and read the explanatory notes that the Conservatives put out when they passed their electricity deregulation bill, that's exactly what they said too. Liberals here are saying exactly the same thing that the Conservatives said three years ago in 1998. You guys should vote for this Liberal motion because they're agreeing with everything you've said over the last three years.

The reality, though, of what is happening out there: the fact is that the electricity industry is not devolving into smaller and smaller companies. In fact, it is integrating. The international giants, whether they be Detroit Edison or British Energy, are going around buying up the smaller utilities. When you deregulate and privatize, these huge international energy corporations that have been ripping people off in California are right there at the door to buy up the small guy. I can only assume that the Liberals approve of what has gone on in California, but there is no creation of smaller companies, if you look at what's happening out there where they have privatized and deregulated. The big monsters who are into nuclear

energy, who are into big coal, get bigger. That's what's happening, and we shouldn't be surprised by that.

If you look at what's happening in oil, the big oil companies are buying up the smaller independents. If you look at what's happening in natural gas, the big natural gas companies, most of them American, are buying up the small natural gas companies. If you deregulate and privatize electricity, the same thing is going to happen here.

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The Liberals say that they support the Macdonald report model. Just to know who Mr Macdonald is, Mr Macdonald is a former Liberal finance minister who said he was completely in favour of free trade. Liberals have now flip-flopped and say they're completely in favour of free trade. The Liberals say that the problem with the Conservative policy is that it does not adopt Macdonald's plan to break up Ontario Hydro's generation. In other words, you're not selling off enough. These guys want you to sell it all. Get out there and find more British Energy Corps and more Detroit Edisons and California Edisons. Sell all of our electricity generating capacity to those big international giants and then the Liberals will be happy.

What they don't say is that Mr Macdonald also supported privatization of most of Hydro's fossil plants and hydroelectric plants. He supported keeping Niagara Falls, but only for political reasons; otherwise he would have sold that too.

What Mr McGuinty's Liberals are really telling us when they say they support the further break-up of Ontario Power Generation, which used to be Ontario Hydro, à la Mr Macdonald is that they, like the private sector stakeholders, want a full-blooded sell-off of the public utility. Turn it all over to those private international energy corporations. That's why you guys should vote for this Liberal motion.

Once you go down this road that the Conservatives and the Liberals are on, you are under enormous pressure to privatize and to avoid the so-called market power problems. You're under enormous pressure to sell it off—all of it. The private sector will tell you that they won't really invest in new generation unless they have Ontario Power Generation, the old Ontario Hydro, tied up in the basement and the family jewels are looted and sold off.

On this issue the Liberals are trying to be a little bit pregnant, but it won't wash. If you sell off, if you move down that road where you're selling it all off to the private sector, you are then, the next step, integrated into the American market, your prices are going up and the same instability of supply that George Bush is warning people about then starts to visit Ontario.

I say again that what we as New Democrats want to do is retain the public power pool. When new generation is required after all the energy conservation opportunities have been implemented, you can then, as an instrument of government policy, reward green energy producers. You can, as an aspect of government policy, actually go

out there and promote wind power, solar power and small-scale hydroelectric development, all of which might be totally against the interests of those international energy corporations who don't want to see that small-scale community development.

In our view, what we've had in Ontario with the public system, what Quebec Hydro has had, what Manitoba Hydro has had, what BC Hydro has had, in all those situations, is a very reliable supply of power at very predictable prices and at very reasonable prices—in fact, some of the lowest prices in all of North America. Why do we want to give that away? Why do you want to sell that off? I think Conservatives and Liberals both have to answer that question.

The other thing the Liberals say is, "Stop the monopolization of the electricity retail sector by Hydro One." Energy Probe and others have sounded the alarm about this. The problem is that Hydro One is incurring new taxpayer debt to make their purchases and is paying inflated prices. While the increased purchase price goes to the municipalities, and therefore stays in the public sector, the debt interest does not. There does not appear to be a compelling reason for this extra public expenditure, except the next move by this government will be to then privatize Hydro One.

If you look at what's happening, what the government is doing, it is privatizing the assets which are going to be worth a lot of money and which will generate a lot of income and they're socializing the debt. So the debt falls on the taxpayers and the ratepayers of the province while these assets, which are going to become more valuable—George Bush tells us that, Dick Cheney tells us that—are being sold over to private sector companies at bargain basement prices.

That's the next step with Hydro One. The Liberals say, "Stop the monopolization of the electricity retail sector by Hydro One." I think the government's going to agree with you, Liberals. They're now going to sell it off to private sector people.

The way to do this is to preserve public power—public power—and to continue to sell power in Ontario at cost. Not at the cost of production, plus 25% return, plus 15% for the executive management team, who all want multimillion-dollar salaries. The Liberal motion and the Conservative direction all take us to the same place.

The Liberals then say they want to introduce consumer protection and information programs to educate Ontarians about the challenge to the province's electricity marketplace. That again is exactly what the Conservatives say in the speaking notes to the bill that they passed in 1998, the bill that the Liberals voted for and agreed with.

I presented a private member's bill here today which calls on the government to ban electricity marketers from approaching consumers directly unless the consumers have requested contact. Even Professor Don Dewees, an economist at the University of Toronto who advised the government on setting up the deregulated system, says that he couldn't personally make a reasonable buying

decision based on the information that energy marketers are making available.

I put that private member's bill forward, but that private member's bill is just to stop people from getting ripped off right now. If we want people to not be ripped off in the longer term, then don't privatize Ontario's hydroelectricity system. Don't turn it over to international energy corporations, as they did in California, and don't integrate us into an American New England and Midwestern electricity market, where the prices are already higher than ours.

Stop doing what you're doing. Kill the privatization of Ontario's hydroelectricity system. Continue to build a hydroelectricity system that is publicly owned and publicly responsible.

One of the other points: the Liberals say they want to establish an all-party select committee to oversee Ontario's electricity policy, including the transition to a private system. We don't need a select committee to oversee the privatization. We need a complete change in policy. We need the government to say and Liberals to say that selling off what is one of our most valuable assets, a publicly owned electricity system, is wrong, that selling it off, as California did, will lead in the same direction that it has in California: less stable energy supplies; higher energy prices; more and more rip-offs by international energy corporations who game the market to drive prices up.

I just want to say what I think we should be debating here today. We should be debating something that says as follows:

"Be it resolved that this House declares unequivocally that the government should abandon electricity deregulation and privatization in Ontario; that it should set up a new system of accountable public power; the Energy Competition Act should be repealed and replaced with a public power act; an Ontario Power Generation sale of 65% of its generation capacity must be permanently halted; the Ontario Energy Board should be given the power to set electricity rates and approve or veto major generation projects by the major power provider.

"There should also be a legislative requirement that affordable energy conservation initiatives be given priority over new generation projects, and that when new generation is built, the renewable green power be given priority."

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That's what we should be debating here today. That is a true forward-looking energy policy for Ontario. Selling off our hydroelectricity system, as Conservatives and Liberals both advocate, takes us down the same road that California is on: a less predictable supply of power, higher prices, more rip-offs by international energy corporations. Ontarians don't want to go there, and New Democrats are the only people who are saying loudly and clearly, "Let's not go there. Let's stop this insane sell-off of our hydroelectricity system now, before we're all paying double and triple the rates for our electricity and we lose a lot of jobs in the process."

The Deputy Speaker (Mr Michael A. Brown): Further debate?

Mr Gill: It is a pleasure indeed to take part in this debate about opening the electricity market. I think it's an important topic and it is a fear, because a lot of times all kinds of rhetoric goes on in the House and I'm sure people out there are very, very confused, to say the least.

Right off the start, I must say that the members opposite talked about the rate increase: how much rates are going to be increased and this and that, and a little bit of fearmongering there. Let me just set the record straight. The rate has to be approved by the Ontario Energy Board. Mr Speaker, the chairperson of the Ontario Energy Board is a Mr Floyd Laughren, who, you may recall, was the Treasurer of the NDP government. So I'm sure he will be doing a super job in making sure that the rates, if they are going up, are going up in line with some kind of semblance where consumers are not being hurt.

I must point out that when our government, the Mike Harris government, came into office in 1995, Ontario's electricity sector had been heading in the wrong direction. From 1985 to 1995, Ontario went from having below-average electricity prices—and I'm sure consumers were very happy because the electricity prices were below average—to having the third-highest power prices in Canada. So actually prices did go up tremendously during that period. This represented a threat to the overall competitiveness of the Ontario economy, and clearly something had to be done.

At the start, the member for Renfrew-Nipissing-Pembroke said, "We accept there have to be changes," and these are some of the changes that we are bringing about to make sure consumers are benefiting from the open competition. It is important to understand that under the previous monopoly-based electricity system, Ontario had more than 300 distribution utilities, while the rest of Canada had only 25: 300 in Ontario alone, and the rest of Canada only had 25. Many of these utilities in Ontario had fewer than 1,000 customers, and five of them had fewer than 200 customers. When you stop and actually think about these numbers and what they are telling us, it really says a lot about the inefficiencies which had been built up in the Ontario electricity sector over the years.

At the same time, the old Ontario Hydro monopoly ran up debts and other liabilities totalling \$38 billion. The provincial government guaranteed Ontario Hydro bonds, so really the taxpayer was on the hook for that debt.

It was clear that Ontario's electricity sector had become out-of-date, inefficient and just too expensive. Hydro's debt load was a threat to the entire provincial economy. Some people have criticized our approach to electricity restructuring, and they say, "If it ain't broke, why fix it?" What they don't realize is that it actually was broke: it was broke financially and it was broke functionally. Some \$38 billion in debt and other liabilities speak for themselves.

These are some of the key reasons why the government implemented the Energy Competition Act to

restructure Ontario's electricity sector. Through this initiative, the Ontario government will bring competition to our province's electricity industry. Competition forces electricity providers to control their costs—let me emphasize: to control their costs—while encouraging them to find new savings, new ideas and new technologies. This will benefit electricity customers and taxpayers throughout Ontario by providing a reliable supply of electricity at the lowest possible cost.

This is an approach which has already proven successful in many other jurisdictions around the world. It is unfortunate that a lot of times most of the media's attention has been focused on California and Alberta, the only two jurisdictions—the only two—which have encountered any real difficulties in their transition to a competitive market.

We cannot overlook the fact that competition has already resulted in significant benefits for consumers, especially price decreases. Contrary to what members opposite are trying to say, it actually resulted in price decreases and savings in places like Pennsylvania, Sweden, the United Kingdom and the Australian state of Victoria.

As an example, Pennsylvania consumers got reductions of 5% to 15% in their electricity bills. In Sweden, the price of electricity has dropped about 40%. In the United Kingdom, consumers' savings are estimated at about \$1.7 billion—that's Canadian dollars. In the state of Victoria in Australia, market reforms brought about 24% lower power prices since 1981, and that includes inflation.

We want those savings for Ontarians. We want to reap the benefits of power competition for Ontario's taxpayers. Once again, the benefits are a safe and reliable supply of power at the lowest possible cost, and we'll learn from the mistakes that meddling legislators made in California and Alberta.

Ontario has more than enough generation capacity to meet current demand projections. This was not the case in either California or Alberta, where demand growth quickly outpaced in-place generation capacity. Investors in Ontario are willing to build new power plants. So far, more than \$3 billion in new generation projects have already been announced, with some projects already underway.

TransAlta, for example, is currently building a 440-megawatt co-generation plant in Sarnia. This and other projects are all based on more environmentally friendly forms of generation. In my own riding of Bramalea-Gore-Malton-Springdale, Sithe Canada has announced that they will be building an 800-megawatt plant at Goreway Station. That is going to be an investment of C\$1 billion, and this will be a modern, state-of-the-art natural gas plant, a so-called combined-cycle plant: cleaner, greener, and cheaper than old-style power plants.

There is no doubt that the introduction of competition to Ontario's electricity market will encourage further private sector investment in new generation projects.

With these new investments will come new jobs: permanent, well-paid, private sector jobs.

These proposed investments are votes of confidence in the direction Ontario is taking and the competitive market we are putting in place. All along, we have been consistent in saying that we would open the market to competition, but only when the circumstances were right for Ontario. A strong, healthy supply of electricity is essential to a strong, healthy economy.

I am encouraged, then, to see that electricity restructuring will allow us to meet increases in the future demand for electricity caused by economic growth without putting taxpayers further into debt. The private sector will invest and take on risk rather than taxpayers. Consumers, for the first time, will also be able to choose the type of power they use. This will promote the demand for cleaner, greener electricity and further protect our environment.

Our government's plan for opening the electricity market to competition is based on four key principles: protecting consumers and giving them more choice; ensuring a strong business climate with a reliable supply; protecting our environment; and encouraging both new ways of doing business and new sources of power.

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As Minister Wilson recently announced, the government believes that the principles guiding our vision will be fully met by May 2002, about a year from now. Clearly we must ensure that Ontario's electricity supply remains safe and reliable, that prices remain competitive and that consumers get the best deal possible. The competitive market, once the excesses of the past have been eliminated, will produce this result.

I would also like to point out that access to other markets, both to buy and sell power, is a key element of our competitive strategy. Ontario's new electricity market will allow for competitive pricing of both imports and exports. If electricity from Quebec, Manitoba or the US is available at prices below those of Ontario's supply, it will be imported to keep Ontario's prices down. Export capacity to the US is physically limited to less than 20% of Ontario's current generation capacity. The Independent Electricity Market Operator, or the independent body set up to manage Ontario's wholesale electricity market, ensures that Ontario maintains sufficient reserves for reliability. These measures will protect Ontario's consumers and help maintain a reliable, safe and affordable electricity supply in the future.

Additional measures are also in place to ensure a smooth transition to a competitive market for Ontario consumers. Ontario Power Generation, OPG, which owns the majority of generating capacity in Ontario, is required to provide rebates to customers for a significant portion of electricity sales whenever the average annual wholesale price exceeds 3.8 cents per kilowatt hour. This will provide significant price protection to all Ontario customers until such time as fully competitive conditions are in place in the Ontario generation sector. Mr Wilson

has issued a directive to the Ontario Energy Board that it put the interests of consumers first.

What I've just outlined will protect Ontario consumers. We have consulted widely in pursuing this course of action and the process has been both open and transparent. As I've already mentioned, an efficient regulatory framework has been put in place. Private sector investors are confident that they can proceed with new generation projects.

These additions to Ontario-based generation capacity are critical to maintaining our long-term security of supply. To go back and revisit the key decisions already taken and to look at areas for additional government involvement or intervention would be to increase the risk of another California happening here. It would only serve to undermine the confidence investors are showing in Ontario's electricity market. With the tremendous progress we're making toward market opening, we cannot have that.

Mrs Lyn McLeod (Thunder Bay-Atikokan): I am very pleased that my colleague the member for Renfrew-Nipissing-Pembroke has put forward this resolution, setting out the commitment of the Ontario Liberal caucus to an Ontario-first electricity policy, and I welcome the opportunity to participate in the discussion.

I want to put that in the context of how strongly I feel about this. I know that members of the House are used to my saying how strongly I feel about the government's attacks, for example, on public education, about the government's attacks on public health care, about the government's neglect of the environment. Those are all very deeply held concerns which I've expressed in this place before. But there is one issue that terrifies me, and that is this government's policy on energy—specifically electricity—deregulation.

The leader of the third party was working very hard to find some justification to perhaps vote against an Ontario-first electricity policy which this resolution calls for. The leader of the third party missed what to me is absolutely the crux of this debate, and it focuses on the whole issue of a total deregulation of the electricity market. Everything the Harris government is putting forward has to be in the context of a deregulated market, which is why my colleague's resolution calls very clearly, first, for an Ontario-first electricity policy that guarantees that Ontario electricity will be used to provide Ontarians with a reliable, affordable supply of power and, secondly, that creates a strong regulatory environment in which that electricity market operates and which allows for the protection of the Ontario consumer.

I am terrified, as I said, by this government's approach to electricity that is premised on a belief in a free, unfettered market competition, because a truly unfettered market can only function effectively when the consumer has a choice about whether to buy. Let me take this down to the most simple, basic reason why this government's policy of deregulation and unfettered market competition, with no regulatory environment in which to operate, is a disaster for the consumer, whether that consumer is the

paper mill in my riding of Thunder Bay, which is totally energy dependent for its survival as a business, as is the steel mill in Sudbury or the steel mill in Hamilton—having reliable and affordable power is absolutely crucial to their operation; whether it is the economic industry with its focus on Bay Street, which is also, in its own way now, entirely energy dependent; or whether the consumer is a senior on a fixed income or a single parent struggling to provide for a family. That single parent or that senior may have to go without the food they might want, but they cannot go without light and they cannot go without heat. They cannot choose whether to buy the electricity they need. So this is a captive market.

I say to the members opposite who have this unquestioning belief in the benefits of free, unfettered market competition that you've got to look at what market competition is all about. It is dependent on the consumer's ability to say, "No, I'm sorry, you're charging me too much. I'm not going to buy." Nobody, whether it is the paper mill or the steel plant or the single parent or the senior, can say, when it comes to electricity, "No, I'm sorry, I can't afford to buy." That's why this policy is an unmitigated disaster.

The competition market is dependent on having enough supply to force competitive prices. It's dependent on two things, then: on the ability of the consumer to say, "No, I'm sorry, I choose not to buy because you are overpricing," which can't happen with electricity, and on having enough supply to bring about competitive pricing so that the consumer will choose to buy. In the case of the electricity consumer, as my colleague has said, since the consumer can't choose to buy or to not buy, there is a responsibility of government to protect the affordability of that electricity, to protect that electricity pricing through regulation.

One of the other ways in which to ensure we have lower prices for electricity is indeed to have competition in the marketplace, competition that is based on the generation of new supply so that there is enough supply to create the competition that would keep the prices low. That's the kind of internal competition that my colleague has described.

The kind of competition that is going to be unleashed by this Harris government with its policy of complete deregulation is competition in which we don't have a chance to compete as Ontario consumers, because electricity is not something which you can generate more of in order to meet the demand, the way you can generate more cars to meet demand or more widgets to meet the demand for widgets. There are some real limitations on our ability to produce more electricity supply. By the fact that there are limitations on our ability to produce supply, there are limitations on how well we can protect the pricing through simply a competitive pricing policy. It's why a regulatory environment is absolutely crucial if we're going to protect consumers.

What this government wants is simply to open the market to the highest bidder, a limited supply market open to the highest bidder with no controls and no

protection of the Ontario consumer at all, whether it be the big power consumer or the little individual power consumer. What happens when you open a limited supply market to unfettered competition is that the highest bidder wins. There should be no question in anybody's mind about who the highest bidder for electricity is going to be. It's going to be our very large, very wealthy, very electricity-desperate neighbours to the south of us.

Surely we see that in President Bush's anxiety to exploit every possible energy resource wherever he can get hold of it, regardless of its environmental impact and certainly regardless of its impact on security of supply for the future. That's the inevitable consequence of this government's deregulation, allowing free market competition to flourish in a totally deregulated, unprotected environment.

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There is no question that this policy of this government will lead to higher and higher prices and will price Ontario consumers right out of the market, but there is also no question in my mind, and it's one of the reasons I am particularly terrified, that this will lead to a shortage of supply. We will not be able to generate enough electricity in Ontario to meet our domestic needs and respond to the highest-bidder demands south of the border for our electricity.

I can tell you there is nothing more terrifying than to face a shortage of electricity. I've been Minister of Energy at a time when we were about to shut down our nuclear plants, not because we didn't have the capacity to produce enough electricity at that point—although I will continue to have grave doubts about the numbers that are produced by Ontario Hydro about how much electricity we do or do not have, having been Minister of Energy and having been very aware of how tight we have sometimes been to having brownouts and even blackouts—but in this particular case the problem we were facing was a problem of workers going on strike and we were going to have to shut down the nuclear plants. We tried to put in place an emergency plan to respond to that. We actually had reached the point where nuclear plants were being shut down at midnight and our emergency plan was to go into effect by 8 o'clock the next morning.

I have to tell you that there is no such thing as an emergency plan to deal with electricity blackouts that are sustained. You can't do it. We are too dependent on electricity, not just economically but for our very safety. I ask you to think of a scenario in the city of Toronto if you don't have enough electricity and you have a blackout and the traffic lights go out. I can tell you that it would not be 24 hours before you started to have a death toll because of shortages of electricity.

If that sounds alarmist, let it be alarmist. I've been there. I've been there on the eve of shutting down our electricity production and I know for a fact that no government can produce an emergency plan that will protect the safety of the residents of this province in the event of an electricity shortage that leads to sustained blackouts. So, yes, I am terrified because I think this government is

marching ahead with its unfettered approach to market competition and deregulation without having any awareness of what it is leading the people of this province into.

I have colleagues who want to join in this debate, so I'm going to touch just lightly on a couple of things that I do not think we should be doing.

I do not think, I say to the leader of the third party, that we should be selling off our valuable energy assets at a time when there is absolutely no regulation that protects them from selling off that energy to our neighbours to the south.

I don't, quite frankly, believe that any of the non-Ontarian, non-Canadian companies would be particularly interested in buying our assets if there were the regulatory environment my colleague has called for in this resolution. I believe this issue of regulation is absolutely the crux of the issue.

I am concerned—I don't have time to get into it and it's probably a sub-issue—that we need to have some regulation around individuals being besieged by individual electricity brokers without having any awareness of whether or not those brokers can guarantee supply, when in fact we know that nobody can provide that kind of guarantee unless they're a very large provider indeed.

I want to spend just one moment on what we should be doing. We should be exploring alternatives to produce additional supply, without any question. We should be looking as much as possible to water supply, although that has some very real limitations to it. We should be looking at wind supply. When I was Minister of Energy, the Ministry of Energy did not believe there was really any economic benefit to wind supply, that at least it was not economically beneficial to go that route. I disagree and I think we should be looking more at that.

What I don't think we should be doing is following our Premier's lead in suggesting the answer to the future is more nuclear production. When I was Minister of Energy, Darlington finally started producing electricity. This Harris government, the Premier himself was part of a government that took something like 10 years, I believe, and I ask my colleagues, from the start of deciding to go the route of a big nuclear plant to actually getting the plant underway. In that time, the price of electricity, which could not be charged to the consumer until the plant started producing electricity, built the deficit of Ontario Hydro bigger and bigger until now this Conservative government, back in power again, offloads those debts accumulated when it was in office before on to the backs of hydro ratepayers today.

Now the Premier thinks nuclear energy is the way to go. I'll tell you, they had Darlington 2 T-shirts prepared when I was Minister of Energy and I said, "You'll never use them." There are too many problems that have never been resolved with nuclear power to think the answer to our energy supply needs is to start building more nuclear plants.

Could there be some more nuclear energy in our future? Perhaps, but there will never be another Darlington and it will never be a mega-answer, even as

cogeneration is not going to be the magic solution either, because cogeneration from the very beginning has been premised on gas prices. Gas is also a non-renewable source of energy, and gas prices are predictably doing what we predicted 10 years ago they would do. They're going to escalate as they become the source of energy people are dependent on. There are no magic answers.

Energy conservation is something we should be pursuing. I agree with the New Democrats, the third party. We should be pursuing energy conservation. It's got to be a lot more sophisticated than giving people a refrigerator, which was the energy conservation policy of the previous government. But even that is not the panacea.

We have got to be sure that we look at this complex issue in a way that indeed brings an Ontario-first perspective and is prepared to manage our electricity future and protect Ontario consumers, both in terms of affordability and supply, through a strong regulatory environment. That is the focus of this resolution.

I can only hope that in bringing forward this resolution, the public becomes more aware of the danger of this unmitigated disaster of deregulation that the Harris government is proposing.

Ms Shelley Martel (Nickel Belt): It's a pleasure for me to participate in this debate today. It will be a pleasure to vote against this Liberal resolution, because if I were to vote in favour, I might as well vote in favour of the Conservative government's deregulation-privatization policy. You'll note, as I read through the resolution—I did it carefully—that the Liberals say nothing about terminating the government's plan to deregulate and privatize the electricity system in Ontario. They do not ask for the repeal of Bill 35, which is the bill that sends us down that long and awful road. I guess the Liberals actually couldn't put that in the resolution, because the unfortunate reality for the Liberals is that they are already on public record as supporting the government's scheme.

Early in February of this year, when the Liberal critic was asked about the government's scheme to privatize and deregulate hydro in the face of what was happening in California, he very clearly said in his local paper that we were too far down this road of deregulation and privatization to turn back now. That's the Liberal position. They support the government's scheme, which is well underway, to deregulate and privatize hydro.

What a horribly uncomfortable position they must be in. I almost feel sorry for the Liberals, because they are sitting in the middle of a picket fence, with both legs on either side of the fence, and they are going to be hoisted on their own petard because the public clearly sees what the Conservative agenda is. The Conservatives were upfront and out centre about that when they moved Bill 35. They want a free market with respect to the sale of energy, and they are quite prepared, and they did in their Bill 35, to sell off 65% of the generation assets that the people in this province bought and paid for, assets which should remain in public hands to ensure an affordable, stable supply of public power.

The Liberals have been caught, because they are clearly on record as saying, "Well, we're too far down the road the government has taken us down to turn back now." They're hoping that the consumers don't pick that up, by coming in here today with a policy that says, "Oh, no, no, we're going to have an Ontario-first policy. We're going to put some roadblocks in, and we won't make it hurt so much."

The fact of the matter is that when you sell off your generation assets, which is what Bill 35 does, and the Liberals agree with, and when you move to an open market with respect to the sale, which is where we are moving and have done so with natural gas, the Ontario government will have absolutely no control over the prices that Ontarians have to pay for power. They will have no say and no control over the supply of that same electricity to Ontario consumers. When your generation assets are held in the hands of private producers, and they will be under Bill 35, the Ontario government has no say, no control over what happens after that. Anyone who wants to see what happens need only look at what happened with natural gas, but I'll get to that in a moment.

1650

The Liberals are here today trying to camouflage their position, which is one that's in support of the government. As the Liberal critic has already said, we've gone down this road too far; we can't turn back now. They're trying to camouflage that by saying, "We can reduce some of the negative impacts. We can have an Ontario-first policy. We can guarantee that Ontario electricity will be used to provide Ontarians with a reliable, affordable supply of power." Don't be so dishonest with the public of Ontario. Don't promise something that you could never deliver on, because the fact is—and I think the Liberals know it well—once you sell off your generating assets, once those assets are in the hands of private producers who operate in continental markets, you have lost, you have given up, you have forfeited any control, any power that you might have to ensure that Ontarians get a stable supply of electricity at affordable rates. That power, that right, that control is gone, and the Liberals should be at least forthright in admitting that to the public today.

What's going to happen? You don't have to look very far. You just have to look at natural gas to see where we're going with this fiasco. We produce natural gas in this country. But the fact of the matter is, because that natural gas supply is owned and operated by private corporations, we sell into a continental market and they sell at the highest price they can get, and that price is set in the US. Anyone who uses natural gas to heat would have seen the impact of that especially this last winter when bills for natural gas increased so dramatically across this province, indeed across this country. It was so bad that your friends in Ottawa, your Liberal colleagues in Ottawa, had to give a rebate for those on fixed incomes and low incomes in this country to try and compensate for those higher prices.

The exact same thing is going to happen when the market opens in Ontario and where those private corporations who own our generating supply are selling into the US markets. Those prices are already higher now, and the leader of our party made it clear what those prices are—123% more expensive in New York, for example, and he gave some other examples that I won't repeat. Those prices are higher now, and once the market opens in Ontario, those private corporations that own our supply are going to be desperate to sell into that market to get a higher price. There will be no onus on them, no burden on them, no requirement on them to sell power at a reduced rate, an affordable rate to Ontarians first.

There's nothing in Bill 35, there's no provision in that bill to allow for Ontario consumers and farmers and manufacturers to be protected, to get a lower price, an affordable price, and a guaranteed supply. The independent market operator has no rules, no provision, nothing to provide that protection either. It is a myth, it is a fallacy, it is a joke for the Liberals to come here today and to somehow suggest to the Ontario public that in a deregulated, privatized electricity market, which is where we're going to, you can somehow have an Ontario-first policy, that you can somehow have some protection somewhere to make sure that Ontario consumers get an affordable price and an assured supply.

It doesn't happen with natural gas. There's nothing in Bill 35 to allow it to happen, there's nothing happening at the Independent Electricity Market Operator to allow that to happen, and it won't happen, especially under NAFTA rules, which do not allow double pricing in that way.

So let us at least be honest with Ontario consumers and tell them that once this market opens, they can surely expect what happened in California or surely expect what happened in Alberta. Look at the fiasco in Alberta. There was Ralph Klein on the eve of the election, a government that had privatized and deregulated its power because people were going to get competitive rates and lower rates, for goodness' sake; there he was, on the eve of an election, trying to buy the election, giving out rebates to Alberta consumers because they were getting kicked in the head with higher electricity prices. I think he spent over \$5 billion trying to compensate Albertans, who did not see lower prices and more competition with deregulation of hydro. They saw quite the opposite. They saw huge increases in their electricity bills and no surety of supply.

All of us have seen the articles that have been written in the last number of weeks focusing on manufacturing companies in Alberta. Those same groups that were so in favour of deregulation, who are now having to operate their plants through the night because that's when they can get their cheaper electricity prices, even some of them, God bless them, have finally admitted publicly that they were wrong, dead wrong, completely wrong to be supportive of the government's scheme to privatize and deregulate, because they don't have surety of supply and they certainly don't have lower costs for electricity when it comes to operations.

If you also want to see where we're going to be when the Liberal-Conservative scheme of privatization and deregulation of our energy market is fully implemented, you only have to look at what's happening now, as this government is allowing a rate increase as a precursor to the opening of the market. We know that in June of this year, consumers can expect about an 8% increase on their hydro bills and the manufacturing sector can anticipate a 12% to 15% increase on their hydro bills.

Here's the impact on my community: Falconbridge wouldn't normally be critical of this government. Their CEO, April 20, says that this hike in electricity will cost their company \$15 million a year. Calling the plan "backwards," the chief executive said that "the move will have a significant impact on the future of mining in the province." He said, "It's a bit of looking backwards rather than looking forward.... I hope we can do something to make them," the government, "change their mind, but we have nothing on the table today."

In Falconbridge, that rate hike will affect operations in my community and in Timmins. In my community, over 2,000 people directly depend on Falconbridge for their employment, and there are hundreds and hundreds of other contractors whose jobs would be at stake with this increase and certainly with the increase that's going to come when deregulation is fully implemented.

Here's his final quote: "That's a pretty significant hit. We're going to have to work on the political side to try and convince them that it's not really in the province's long-term interest to have so high power prices."

In conclusion, because my colleague from Timmins-James Bay wants to speak, I'll just say again that we're not supporting this motion; if I did, I might as well be supporting the government's scheme to privatize and deregulate. The Liberals are caught. They are on public record as saying they support the government's scheme, that the government's privatization plan is too far down the road now to do anything about it, so they come here today and try to bluff the public into believing that somehow under that deregulated scheme they might be able to protect Ontario consumers first. Guess what? They will not be able to. The only way you can protect Ontario consumers is to have power in public hands, and the New Democrats are the only party urging that to happen.

1700

Mr John O'Toole (Durham): It's my pleasure this afternoon. Certainly I feel rather privileged to be allowed to speak to this important opposition day.

I do want to mention that John Hastings, the parliamentary assistant to the Minister of Energy, Science and Technology, sends his regrets, and I say hello to him in case he's recording this at home.

On a serious note, there have been some serious allegations raised here that I intend to challenge thoroughly today.

Ontario's electricity market will be opened to competition, as promised, by May 2002. As the Premier and the Minister of Energy, Science and Technology have stated many times before, Ontario is fully committed to

delivering on its promises, as it should be, even with all the criticism and demands from other parties in this Legislature, including most recently the NDP. At least we know where they stand on this issue: they've been critical of the government.

I have to clarify a few things. For those who warned that Ontario would become another California, I respectfully suggest that you've not done your homework. I suspect there are many third party individuals like Sir Graham Day, and the CIBC and the world fund, whose reports I regularly send to my constituents to help them understand this whole issue of what was Ontario Hydro now going to Ontario Power Generation and Hydro One.

I think, as in all things, it's important to strike the background appropriately. People say, "Well, rates could possibly go up." Here are the facts, Mr Speaker. We had the Macdonald commission. You probably remember that—maybe you don't, maybe you do. The Macdonald commission looked at it and said, "The current model of Ontario Hydro is unsustainable." What they had accumulated was discouraging. I was going to use another word, but it was actually discouraging. It was about \$38 billion of debt. A lot of people say, "They were paying off that debt in their rates." I want to be on the record as saying that they were not in compliance with the Power Corporation Act. In fact, there's a requirement in the rates themselves called the SDR, strategic debt retirement, where they're supposed to be paying off part of the debt, that is, the mortgage, through the rates. Well, they were asking for exemptions. In fact experts from Floyd Laughren on down—

Mrs McLeod: You froze them.

Mr O'Toole: No. I think the member from Thunder Bay-Atikokan should remain still and keep her ear on the job for a few minutes, because I'm going to let her know what was really going on.

The wool was completely pulled over their eyes. The only guy who knew that anything was going on was Sean Conway. That's why we're debating this issue here today; he's brought it forward.

The government, through the Macdonald commission, went in and recognized that there was a certain part of that debt that was stranded. It couldn't be paid off with the current asset base.

If you want to look at how complicated this was, go back and look at some of Ontario Hydro's annual reports of the early 1990s. One of the little shell games they pulled—I couldn't believe it when I read it—is that they changed the life of a nuclear plant, on paper, from approximately 25 years to 40 years. Guess what that does to the mortgage?

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): What?

Mr O'Toole: It diminishes the mortgage, because it's now spread over 40 years instead of 25 years. In other words, it makes your debt load look smaller as a part of the annual operating plan. Those little counting gyrations had to be arrested. I wish they were arrested—not in jail,

mind you. I mean stopped. So we've actually arrested that—

Mr Tascona: Ceased, John.

Mr O'Toole: Cease and desist. But I think it's important. There was, I think, between \$10 billion and \$15 billion of their total \$38-billion debt that was stranded. It couldn't be paid off. That's what we're really dealing with under this restructuring. It's important to understand that.

The main players, whether it's OPG or Hydro One, have part of that debt, as does the government, the province of Ontario. It's shown on our public accounts statement as a separate line of debt, over and above the \$110 billion. All of the revenue or profit that comes into the province of Ontario, as the principal shareholder of Hydro One and OPG, will go toward paying off that stranded debt. That's really a prudent plan to save the people of Ontario and sustain a safe, reliable and affordable source of power in the future.

I think it's important to have that in the background, because it's exactly what you're recommending—more government interference—which has caused most of California's problems. In fact, if you want to follow the case of California, they are now moving to regulation in California, to competition, which there wasn't before. If you want to look into the problem, California had a serious supply and distribution problem, and being such a green state that it was, and maybe should be, you couldn't build a plant. In fact, the GDP of California had grown by 40% or 50% but the power supply hadn't. So there were some deficiencies growing that had not been addressed and the time had come to address them.

Having set the rules of the game, this government is choosing not to interfere in our electric market as we move forward to market opening. Instead, we will be a supporting player, because we know the investor certainly is the key to new investment proceeding and further enhancing Ontario's healthy supply situation.

I could relate to you that we even have a wind generation proposal in the Bruce area which is going to create sustainable, affordable wind power in that area. In fact, there is another \$2-billion or \$3-billion investment in southwestern Ontario, I believe near Sarnia or Lambton, in that area, where they're going to be generating power as well. I think that with some of the initiatives in taxes we have made, you will see further capital investments in the creation of energy.

It was the California government that turned out its own lights, and Ontario will not follow this example. It was the California government which required the utility to buy power on the spot market, did not allow them to sign long-term supply contracts, and put a cap on retail prices but not on wholesale prices. It's very important to understand that.

They could have bought long-term power with respect to natural gas, which is their baseload in California, by the way. Natural gas, we all know, was going through the roof in price, but they were not allowed to pass on that price because of government policy on the retail side of

the price formula. In other words, they racked up a stack of debt on the operations side and they couldn't discharge that debt through a freeze on rates. How long can you sustain that? These private companies basically went bankrupt.

Growing demand in California resulted in tight supply, shortages and huge increases in the wholesale cost of electricity. Unable to pass rising costs to consumers, the utilities ran up billions of dollars in debt. That's what happens when governments interfere and do not allow competitive forces and the market to work. We will not do that to the people of Ontario.

I might say that I've heard both the Minister of Energy, Science and Technology, Minister Wilson, as well as our Premier, respond many times, saying that the first thing Ontario is committed to do is to supply our own market. That's the consumers and businesses of this province. That would be his first commitment in any supply-demand equation.

Adding to California's problem is the fact that their system does not have enough generation capacity, as I said before, and has a high reliance on natural gas. We were fortunate in that Ontario's situation is the exact opposite. In fact, many reports have been out—and I could cite those reports—indicating that Ontario indeed has excess supply. You can't store energy. If the supply isn't used, you're over-invested, you're over-capitalized. There's a balance between having excess capacity in the system—that is a plant that isn't being used, that is a plant that's turned off, that is a plant you've built that you don't really need. So it's a poor use of taxpayers' money.

The Independent Electricity Market Operator has said that Ontario has sufficient supply to meet current and future needs and we do not have to have a high reliance on natural gas to produce electricity. In fact, my partner from Bramalea-Gore-Malton-Springdale, Mr Gill, who by the way is an engineer, a Master of Engineering—he's a masterful guy but he's also a Master of Engineering—just pointed out the most recent article in the May edition of the Economist, "New Demand for Nuclear Power," an extremely valuable argument to be looked at.

There will be a raging debate on the pros and cons of nuclear, as there was in the early 1970s. I would say we should pay close attention to that debate because all energy creates some form of waste. There's no question. I don't care if it's nuclear, it's just deferred waste. There is a new form, sustainable energy, which is wind energy, which we're encouraging, and I think we could do more on tax incentives to encourage that industry.

1710

In my riding there's the ITER project, which is the international thermonuclear experimental reactor project, a huge multi-million dollar megaproject in my riding of Durham. In fact, I'd like all-party support on this; maybe we could take a vote now. There will be hundreds of thousands of hi-tech scientific jobs. It's the largest project next to the space station, and it will mean a great boon for the province of Ontario. It is making energy

from fusion, which is really creating the temperatures of the sun. It's quite an interesting project and worth some attention. But the Ontario government has committed, I believe, in the budget \$10 million a year over a period of 30 years to help this experimental project, the creation of fusion. But they say fusion energy leaves no waste. The only thing it does use is tritium, which is a by-product of our current Candu reactor process. I wanted to get that on the record. I'm supportive of it inasmuch as it's a hi-tech, knowledge-based opportunity for the people of Ontario.

More than enough electricity could be generated, as I've said, and Ontario's future looks bright. In fact, there's a certain appreciation for the expertise in nuclear energy that resides right here in the province of Ontario. About 58% of our baseload, or 58% of Ontario's energy needs, is created by nuclear. As such, we have a certain base of expertise that could be more appropriately utilized or shared, and we could maybe even sell excess power across the North American economy.

Private sector investors have already shown strong confidence in Ontario's new electric market by announcing \$3 billion in new generation projects. I'm proud to say that few other jurisdictions can boast of this kind of faith being shown by investors at such an early stage in the market-opening cycle.

Some of these projects are already underway. Just to mention a couple of examples, TransAlta has started construction of a co-gen plant in Sarnia which will be one of the largest in Canada, providing 440 megawatts to Ontario's power market. Sithe has made a sizable investment in two proposed 800-megawatt combined-cycle natural gas plants in Mississauga and Brampton, in Mr Gill's riding. In fact, he's been working tirelessly with the energy minister to make this happen. I congratulate you today, as well as Mr Spina. Mr Spina has worked on it in partnership, as we all do, on the side of the team support.

Nuclear power, with its reliable, almost emissions-free energy, will continue to be a part of the future electricity supply. Ontario Power Generation plans to return to Pickering A. I was just with the site vice-president last weekend and went on a dry storage tour with respect to nuclear cells. The management team there is well focused and well prepared to be highly efficient, a lot more efficient than they were prior to the NAOP, the nuclear asset optimization plan.

I think Mr Conway can attest that they did get a shot across the bow, they did get a wake-up call when they went through and did that peer review on nuclear asset optimization. I think that the evidence is in the charts. The monthly reports now show those plants are up 86% of the time. In fact, they've moved from a design-build model to an operate-and-maintain-safety model. I'd like to commend not just Pickering A's nuclear station for its service. Beginning in the spring of 2002, it will add 2,000 megawatts to our supply. That's enough power to meet the electricity needs of a city the size of two million. You might say, the size of the 905. It's about 500,000 in

Durham. If you take York, Durham and Peel, probably those people could be supplied by that plant.

As well, Bruce Power, which has leased the Bruce nuclear generating station, plans to return to service another two units by the summer of 2003. This represents another 1,500 megawatts. That's in excess of the generating capacity of today, so we can clearly see an excellent indicator that the government's market-opening strategy is on the right track.

This is the party that delivers. I can tell you, you've got to pay attention. Some of the stuff we're doing, the newspapers get caught up in these kinds of flashpoints, but the reality is that we're putting together a province that had been neglected for a decade.

Mr Gill: Seizing the opportunity.

Mr O'Toole: Seizing the opportunity, exactly, of putting this province on a stable, firm, well-managed platform. That's what it's about, and I'm happy to think that our children will have a brighter future because of the decisions of our Premier, Mike Harris, and Energy Minister Jim Wilson, Municipal Affairs Minister Hodgson, Minister Flaherty and Minister Cam Jackson, who has worked tirelessly on behalf of the seniors of this province.

Whatever minister you talk about, there's a legacy that goes with that commitment to the people of Ontario. With more sources of generation of power to choose from, consumers will be able to ask for electricity that comes from clear, clean, greener generation. In fact I see the energy bill of the future as having a choice: "If you want wind power, check here; if you want coal power, check here; if you want nuclear, check here; if you want gas, check here; if you want hydro-generated"—that's water-generated—"check here."

There will be a different price for each of those, and who better than the consumer to decide what type of power, how clean a type of power, they want. If you check air or wind power, it's probably going to be more per kilowatt, but some people put the environment before everything, before going to the show on Tuesday night or whatever. They're prepared to pay those few extra cents per kilowatt. They're the people who are prepared to turn the lights off and conserve energy. I support those people. We have to put the power in the consumer's hands, and that's exactly what this government's doing.

It's absolutely thrilling to be involved and to have the opportunity to speak out, because it means a lot, and it's a lot of jobs in my riding as well. These are highly skilled, high-paying jobs and we want to maintain safe, reliable, affordable power well into the future.

This will provide for the development of wind, solar, biomass power, fuel cells and other technologies that come from more environmentally friendly sources, which in turn will make an important contribution to Ontario's reliable, sustainable energy supply. This government is going to invest in the research and development associated with these new technologies as part of our forward-looking strategy.

For example, we will fully support the Canadian effort to have Ontario host, as I said earlier, the international ITER fusion energy project, and we're confident that Canada can win this bid, which is awaiting formal submission by the federal government.

I might say on a more casual note that the federal government once again has been kind of waffling. The only thing they haven't waffled on is the pay raise. They're going to zip that through this week. Did you see that? Can you imagine it? I hate to digress, and I know I am digressing here, but they've been weaselling on this ITER thing for at least three years. Do you know that the federal member in my riding of Durham, Alex Shepherd, is in the paper? He has not supported this. He's been to Russia, he's been to England, he's seen all these experimental reactors, and basically there's no federal money in it. What's he travelling around the world for? Now he's getting a raise? For what, exactly?

In case some of the viewers are watching from Durham, if you need more details on that, please give me a call at the office. It's quite honestly amazing. Then he comes out contradicting, that the provincial government's interfering. There isn't five cents in the ITER project from the federal government. In fact the Prime Minister hasn't even signed off approval on that, and since it's an international project—

Mr John Gerretsen (Kingston and the Islands): How do you know?

Mr O'Toole: Because I follow it. It's in my riding. I ask. I'm the minister of my riding. If there's something going on, I want to know about it, and if I don't, I'll be ticked.

For the first time consumers will make the clear choice and that's exactly what they should be doing. It's well documented. Other jurisdictions have successfully introduced competition in their electricity sector and consumers and the economy have benefited. We've just failed to see it. It doesn't make very exciting press, so they don't print it.

In Pennsylvania, competition has saved consumers about US\$3 billion and is expected to create 36,000 new jobs by the end of 2004. That's the record that needs to be addressed. In the United Kingdom, consumers are saving about C\$1.7 billion per year, and in Australia market reforms have resulted in an average price decline of 24%.

We've been studying these success stories and this is the pathway we expect our competitive market to follow. I can certainly say that as an elected representative, I'll be holding them to those commitments myself. We have some tremendous expertise in the Ontario Energy Board and the Independent Electricity Market Operator to help us do the right thing. We will keep that promise for the people of Ontario. It is in our best interests to keep Ontario's economy strong.

Going back to the three fundamentals—a strong economy, strong fiscal management, delivering on your promises—that's how you have a sustainable quality of life. Without the revenue and that strong economy, none

of it works. What's important to that strong economy argument is having safe, reliable, affordable power. If you roll the clock back, that's what the Macdonald commission was all about. It had become inefficient and expensive, so expensive that Ontario Hydro's debt ballooned, as I said before, to \$38 billion. To put things in perspective, the debt works out to about \$10,000 for each of Ontario's 4.1 million electricity consumers, and a good part of that was unfunded, stranded.

This is unacceptable. Electricity is just too important to our daily lives and to our economy to leave an outdated, inefficient and costly electricity system in place.

1720

That's why we've taken the time to put all the rules and conditions in place for a successful competitive market. We're fixing the problems of the past so we can move confidently into the future. We plan to do the right thing. But I'd like to point out that we haven't done it all alone. We've consulted. Stakeholders and interested parties have been given an opportunity to have their say at every step along the way over the last four or five years.

We've made a pledge for Ontario's competitive electricity market: to protect consumers and offer more choice; to create a strong business climate with a reliable supply of energy; to protect our environment; to encourage new and innovative ways of doing business; and to support the search for alternative sources of power. These are the principles guiding our vision of the new electricity market, and I fully support the vision and the commitment our government has made to achieving this goal.

I conclude by saying that this government intends to bring in a competitive electricity market. We will do it right, and we'll do it right the first time for the people of Ontario.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): Today we are debating a very important motion, one of the most important motions we have ever debated in this House, because electricity is a must for every home, every industry and every business in Ontario, and also the rest of the country.

We've read a lot about what happened in California. By deregulating electricity at the present time without any guarantee that we will have a fair and reasonable rate for businesses and also for the people of this province, we could be in a similar situation, where businesses and residences would be limited in the number of kilowatt hours they would be able to use during the day.

If I look at the economy side, this could definitely affect the economy in any part of this province. I look at Ivaco in my area, L'Original, Ontario. At the present time, the cost of electricity for that company is in the area of \$25 million a year. With deregulation, and also the fact that the government will not make sure we have a guarantee of a fair and reasonable rate, the general manager of that industry, Mr Goldsmith, told me he is expecting the cost of electricity will be going up by approximately 20%. A former member of this govern-

ment, who is working at the present time for a consulting firm, confirmed to me just lately, "Yes, you could look at the possibility of a 20% increase as soon as this deregulation is passed." When I look at this possibility, \$25 million plus 20%, that is an addition of \$5 million a year that it would cost, with no guarantee we will have electricity 24 hours a day, 365 or 360 days a year.

Also, every single person in this province depends on electricity. We have no guarantee this government will not permit whoever buys the power at the present time—that we will have sufficient electricity for our own businesses, our own industries and our own residential areas. We have no guarantee.

In looking at the province of Quebec, Hydro-Québec, which was selling megawatt-hours at \$30, today is selling them at \$1,500 per megawatt, versus \$30 in the past. Why? Because in the state of Ohio and two other states they ran out of electricity. They had to go and buy electricity from the province of Quebec—and this might happen right here in Ontario.

Whoever controls electricity will definitely be looking at making as much money as they can, without having any guarantee from this government that the service of electricity has to be given to Ontarians first. We could be in a very, very bad situation. We know the auto industry at the present time is talking about moving to Mexico. If we see our industries like Ivaco, which employs at the present time over 700 people, moving out of Ontario, we have to be concerned. I, as the member for Glengarry-Prescott-Russell, am very concerned about the position that this government has taken.

I will give the rest of my time to the member for Renfrew-Nipissing-Pembroke.

The Deputy Speaker: Further debate?

Mr Gilles Bisson (Timmins-James Bay): I looked forward today to coming to the Legislature to debate this opposition day motion that was put forward by the Liberal Party of Ontario. I was expecting the Liberals to have finally seen the light and have come to this Legislature to see a change in position where they finally agree with us, the New Democrats, that deregulation is going to be an utter disaster to the economy of Ontario when it comes to hydro prices.

Unfortunately, what I see in this motion is them trying to have it a little bit both ways. They're not happy with this version of deregulation, but they want to have some form of deregulation. The thing they know as an opposition party is they have to oppose this form of deregulation. When you read their motion, it says they want to, "Stop the monopolization of the electricity retail sector by Hydro One," and they go on to talk about creating "a strong regulatory and genuinely competitive power generation environment that will produce a mix of electricity providers—public and private, large and small." It's just so typical of what I've become used to seeing from the Liberal Party. I would hope that they would have finally come to this Legislature and taken a position. Either you is with 'em or you is against 'em; either you support the Conservative move toward deregulation

and you accept that you go to an open market and you do that, or you move to our position and say, "No, we oppose deregulation." What the Liberals are doing is trying to fall somewhere in between. They don't like this form of deregulation that the government is doing, but nonetheless, "We must deregulate."

The way I see it, it's quite simple. At the end of the day, if somebody calls for deregulation, that means a complete opening up to the market of the control of electricity prices and the distribution of electricity across this province by market forces. That's what deregulation is and that's where the Liberals are at. But at the same time they're saying they have to have some form of regulatory powers to make that happen. Well, that's not deregulation; that's regulation.

So I say first of all to the Liberals, you can't have it both ways. You either is with 'em or you is against 'em, and the way I see it, you is with the Tories and you is against us.

I am quite frankly going to vote against this motion on the basis that it doesn't do what I believe it should do, which is to say, "We clearly reject the agenda of the Conservative government when it comes to deregulation."

Let me give you a bit of what we are expecting to see in our communities across Timmins-James Bay as a result of deregulation. We have, in our community of Timmins, the largest hydro consumer in the province of Ontario. They are the single largest customer in the province of Ontario to Hydro One, which used to be Ontario Hydro. It's called Falconbridge. Falconbridge operates a metallurgical site in the city of Timmins, where they have become huge utilizers of Ontario hydro.

I've had meetings with the heads of that particular company who are really concerned about what's happening with hydro prices. In meetings that I had with them a couple of weeks ago, and follow-up phone meetings that I had with them again last week, they're saying to me, "Gilles, we're scared. We are somewhat worried about what's going to happen to hydro prices once deregulation happens and the market opens completely to the private sector and is out of control, going into a decontrolled state." They're expecting that the peak power cost for hydro by the summer of next year will almost double. This is not just what Falconbridge is saying; this is what industry analysts are saying when it comes to the peak power prices in the province of Ontario.

1730

Just so that people understand, an industrial user buys hydro on the basis of around seven cents a kilowatt that we're paying now, and they do that when hydro is normally readily available. Once hydro starts to be utilized in big numbers, industrial users go to what's called "peak power" prices. What they're worried about is that the peak power price will double next year, by the summer of 2002, as a result of deregulation.

This is not just Falconbridge saying this; these are the industry analysts who are looking at what is happening with hydro prices after deregulation. They're saying that

if that happens, and if it happens for any length of time and it happens regularly enough, it's going to force the shutdown of the zinc operation of the Falconbridge property in Timmins. That's 500 jobs. I say to the government across the way, we've already seen what happened in Fort Frances. The Abitibi-Consolidated mill has had to lay off 140 workers on a permanent basis, with another 300 workers who have gone off on a temporary basis, as a result of power prices that have gone up this year, when your government increased power prices by 14% in order to get people ready for deregulation. That's what it's done to Abitibi-Consolidated in Fort Frances.

Now Falconbridge is saying, "Not only do we have to accept a 14% increase this year, we are being told by 2002, in the summer, peak power prices could be double. If they do so for any length of time, we're going to be in a position that we're not going to be able to compete with our competitors and we will have to move refinement of our zinc off to either Manitoba or the province of Quebec." Why would they go there? Because hydro prices are cheaper. By the way, yes, they are a regulated market and they are a monopoly corporation controlled by the province in both Quebec and Manitoba.

I'm saying to you now I will not stand idly by and watch you put over 500 jobs in the community of Timmins at risk as a result of your blind ideological belief that you have to move toward deregulation for the sake of moving to deregulation. It hasn't worked anywhere in the United States, it hasn't worked in Alberta and it seems at this point that it's not going to work here. So why is the government so intent on killing jobs in the province of Ontario when it comes to hydro industrial users? I don't understand. It makes no sense to me.

I say to the government across the way, we created Ontario Hydro many years ago for a reason. We decided to pull from the private sector hydro production, transmission and sales. We put it under a crown corporation for the very reasons that we needed to make sure that Ontario was able to (a) give a constant supply of power, (b) make it affordable and (c) make it sustainable. That's what we did under a crown corporation called Ontario Hydro, and that's what we did under regulation.

Moving to the new system that you have now, we've already had 14% increases for hydro for industrial users that now are creating job losses. People are losing their jobs because of it. Now we're looking at when you open the market, not only will the regular power price go up, but the peak power prices are expected to rise. If they rise to the levels that industry analysts say they will probably go to, there's a real, definite possibility that the people who work in the zinc operation and metallurgical site in Timmins will be without a job as a result of this government's policy.

So I say to the government across the way, don't do this. We're having a tough enough time in northern Ontario trying to hold on to the jobs that we've got without any kind of interference from the provincial government, ie, through the deregulation of Ontario Hydro. I would hope that we would have at least looked at the

experience of Alberta, we would have looked at the experiences of California and others to realize that this plan doesn't work. Deregulation in itself has not been the answer to being able to provide cheaper power prices to people. The way we do that is by our taking a responsibility as legislators, by making sure that Ontario Hydro is held to task, something that our government started under Bob Rae, something that you, frankly, continued when you came to power, and by making sure that we set up a proper regulatory forum to make sure we're able to control hydro prices so that (a) we make it affordable and (b) we make sure there's enough supply on the market so that industries don't have to go without.

Mr Doug Galt (Northumberland): I'm certainly pleased to be able to respond to this resolution being put forth in this Liberal opposition day.

I see this as all about choice. We've talked a lot about choice. Maybe I could just share with you a quote: "What man wants is simply independent choice, whatever that independence may cost and wherever it may lead"—Fyodor Dostoevsky.

I think this really sums up what our government is doing. We're looking at one that's in the news currently, that has to do with education, the tax rebate; and also in the field of energy. This is what we're doing: giving them the opportunity to choose. For some 90 years we had a monopoly in this country for the production of electricity. It's about competition versus monopoly; it's really not about public service versus private.

We're going to see a change by May 2002. What this really means is keeping the costs as low as possible, encouraging innovation and also giving benefit to the consumer. We're really talking about a reliable, affordable supply of power and protecting the electricity policy of this country. It's about choice; it's about competition and the best price possible. We're indeed going to be offering choice to the consumers in this province.

There are four very good reasons why we should be moving in this direction. One is protecting the consumer in offering that kind of choice, which of course will lead to lower prices. Deregulation will create an environment that will encourage future investment. Right now we have excess supply, but it's also going to stimulate more generation out there. I think it's interesting to note that already there are private investors who are proposing some \$3 billion more to create almost 3,000 megawatts of power: TransAlta is in there with some 440 megawatts; Bruce Power is restarting two units of Bruce A with some 1,500 megawatts of power. We now are at something like 41 retailers, and up until 1998 95% of the wholesale power in the province of Ontario was produced by Ontario Hydro.

It's also going to provide the protection of our environment. Very specific tough rules with caps are going to be in place. We are also going to be providing the opportunity to choose from various types of environmentally friendly power, whether it be wind power, fuel cell or solar. As a matter of fact, Toronto Renewable Energy Co-operative is already committed to putting up a

wind turbine and Ontario Power Generation is committed to some 10 megawatts of power from wind turbines. Also, people are going to see on their electricity bills how much pollution is being created as a result of their consumption, encouraging them to move and choose in the direction of less pollution.

Opening this electricity market can only create success here in the province of Ontario. The opposition likes to talk an awful lot about California and claim privatization just doesn't work. Well, California is a good example of what to avoid. Pennsylvania is a good example of being effective and where deregulation really works.

We're in a very, very different position here than California. California had a problem that is being misidentified by the opposition. They were short on energy, an ever-increasing demand, and also the government was very interventionist. I can assure you that here in Ontario there will not be any intervention from the Harris government.

They talk in this resolution about an all-party select committee. We've had one of the most open, transparent initiatives. We had in 1995 the committee on competition in the Ontario electric system, by the Honourable Donald Macdonald; we had the Hydro select committee in 1997; we had the Market Design Committee. There's absolutely no question that we are in a position to go out and bring competition into this market and to open it up. I have no question that we're not in the position that California was in. We have a tremendous supply here, with more coming on stream. The planning is in place. The government is committed and we're not going to be there interfering as was going on in California.

I certainly am unable to support this opposition day motion that the member from Renfrew-Nipissing-Pembroke is putting forward.

1740

Mrs Julia Munro (York North): Let me start by saying that our focus has always been on doing what's right for consumers when it comes to electricity restructuring. The government's plan for opening Ontario's electricity market to competition is based on four key principles: protecting consumers and giving them more choice; ensuring a strong business climate with a reliable supply; protecting our environment; and encouraging new ways of doing business and new sources of power.

Consumer protection is paramount. The overall market design and regulatory framework for introducing competition puts customers first. Over the long term, a competitive market will lead to the lowest possible cost and better serve all consumers. As Minister Wilson has repeatedly said to the members here and publicly, the government believes the principles guiding our vision will be fully met by May 2002. We have said all along that we are committed to ensuring that Ontarians continue to be provided with a safe, reliable energy supply at a competitive cost. This has not changed.

Energy prices, including electricity prices, are under upward pressure globally and will likely remain so for the foreseeable future. Ontario cannot isolate itself from

these broader global trends. Therefore, we must act to position ourselves to meet these challenges and maintain a healthy economy. This does not mean choosing to ignore these trends or trying to relive the past. This is the 21st century and electricity markets worldwide are going through a profound transformation.

In order to maintain our competitive edge and our quality of life, our government is willing to make those tough decisions that other leading jurisdictions are also making. In fact our plan will strengthen Ontario's electricity sector and overall economic competitiveness, while at the same time providing an attractive, level playing field for all competitors.

The Independent Electricity Market Operator, known as the IMO, was established by this government as an independent organization to operate the power market and dispatch electricity. The IMO's responsibility under our legislation is clear. It must "protect the interests of consumers with respect to the reliability and quality of electricity service." Those words are from the Electricity Act of 1998.

The Ontario Energy Board is subject to the same requirement to protect consumers under the Ontario Energy Board Act. This is the board that licenses transmission companies, transmission operators and generation companies, and determines the conditions of those licences. As you can see from this, there are these safeguards put in place to make sure there are those safeguards to ensure Ontario's electricity system continues to maintain sufficient reserves to ensure reliable operations.

Mr Conway: I'd like to make some summary observations. A moment ago the government member from Northumberland said, "Count on the Harris government not to intervene." Well, the government has intervened in a couple of ways recently that are quite telling. For example, the government intervened to ensure that the big power users continue to get the sweetheart deals they've been getting under the old system—a very political intervention by the Harris government to do precisely what the member for Northumberland said it wouldn't do. God knows how many other interventions have been done after dark, behind closed doors.

People talk about deregulation. I'm not interested in deregulation. What I'm interested in is a situation where we have a reasonably competitive market for the generation of electricity, a market where there are a substantial number of generators, many of them public, some of them private, hopefully generators that are large and small, regionally dispersed.

The leader of the third party goes on ad nauseam about privatization. Let me tell this House, as we speak today, what we've got in terms of generation: 44% of the active generation today is nuclear and 31% of it is fossil, so 75% of your 24,000 megawatts today comes from nuclear and fossil. I say to the leader of the third party and the Legislature, how do you propose to replace that 15,000- or 16,000-megawatt capacity? That's what you're going to have to do over the next number of years, and you're going to have to do it in a way that meets a

better environmental standard than we've got today for a number of these plants. There are no easy answers. I wish I had some. It's going to be tough as hell.

Yes, there will be renewables. We just blithely talk about building small hydroelectric. I think we should. But if those little creeks and rivers are in your backyard, I know that the member from Kenora would probably be the first one, and maybe the rest of us too, saying, "No, not in my backyard."

One of the things the government has undertaken that's a good thing is the improved interconnect at Ottawa with Hydro-Québec to give us access to another 1,250 megawatts of power across the Ontario-Quebec border. That's a good idea. It's not moving very far or very fast, and there are a bunch of interesting reasons why it's not moving. This thing had better start moving one of these days, because I'm not interested in a sale of assets.

We've agreed—and the leader of the third party has forgotten what the New Democrats on our select committee three or four years ago endorsed with respect to an arrangement with a third party to operate the much troubled Bruce nuclear stations. We had our day with that—20 years—and we couldn't do a very good job. We agreed, as three parties, that we should look at options, not as a first or a second choice, admittedly. We had our chance and we blew it.

Let me just repeat: 75% of the electricity that's keeping the lights on today comes from nuclear and fossil. What are we going to do, over time, to replace that 15,000 or 16,000 megawatts? You'd better have some answers. The Ontario Liberals believe in an Ontario-first policy that contemplates a competitive market for the generation of electricity, a marketplace in which there are hopefully a goodly number of generators, many of them public, some of them private, some of them big, some of them small, a marketplace that is rigorously and ruthlessly regulated by a strong, powerful public regulator in the public interest. It is because we don't see those ingredients in an Ontario electricity policy that we bring this resolution today for your consideration and support.

The Deputy Speaker: This completes the time allocated for debate.

Mr Conway has moved opposition day number 4. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

Call in the members; this will be a 10-minute bell.

The division bells rang from 1749 to 1759.

The Deputy Speaker: All those in favour will rise one at a time to be recognized by the Clerk.

Ayes

Agostino, Dominic	Duncan, Dwight	McMeekin, Ted
Bartolucci, Rick	Gerretsen, John	Parsons, Ernie
Bradley, James J.	Gravelle, Michael	Patten, Richard
Cleary, John C.	Hoy, Pat	Phillips, Gerry
Colle, Mike	Kennedy, Gerard	Pupatello, Sandra
Conway, Sean G.	Kwinter, Monte	Ramsay, David
Cordiano, Joseph	Lalonde, Jean-Marc	Ruprecht, Tony
Crozier, Bruce	McGuinity, Dalton	Smitherman, George
Curling, Alvin	McLeod, Lyn	

The Deputy Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Amott, Ted	Hodgson, Chris	Newman, Dan
Baird, John R.	Hudak, Tim	O'Toole, John
Barrett, Toby	Jackson, Cameron	Ouellette, Jerry J.
Bisson, Gilles	Johns, Helen	Runciman, Robert W.
Christopherson, David	Lankin, Frances	Sampson, Rob
Chudleigh, Ted	Marchese, Rosario	Snobelen, John
Clark, Brad	Marland, Margaret	Spina, Joseph
Coburn, Brian	Martel, Shelley	Sterling, Norman W.
DeFaria, Carl	Martin, Tony	Stewart, R. Gary
Dunlop, Garfield	Martiniuk, Gerry	Stockwell, Chris
Ecker, Janet	Maves, Bart	Tascona, Joseph N.
Elliott, Brenda	Mazzilli, Frank	Tilson, David
Galt, Doug	Miller, Norm	Tsubouchi, David H.
Gilchrist, Steve	Molinari, Tina R.	Wettlaufer, Wayne
Gill, Raminder	Munro, Julia	Wilson, Jim
Guzzo, Garry J.	Murdoch, Bill	Wood, Bob
Hampton, Howard	Mushinski, Marilyn	Young, David
Hardeman, Ernie		

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 26; the nays are 52.

The Deputy Speaker: I declare the motion lost.

It being past 6 of the clock, this House stands adjourned until 6:45 of the clock.

The House adjourned at 1803.

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**Legislative Assembly
of Ontario**

Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 5 June 2001

Mardi 5 juin 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 5 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 5 juin 2001

The House met at 1845.

ORDERS OF THE DAY

BROWNFIELDS STATUTE LAW AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT DES LOIS EN CE QUI CONCERNE LES FRICHES CONTAMINÉES

Resuming the debate adjourned on June 4, 2001, on the motion for second reading of Bill 56, An Act to encourage the revitalization of contaminated land and to make other amendments relating to environmental matters / projet de loi 56, loi visant à encourager la revitalisation des terrains contaminés et apportant d'autres modifications se rapportant à des questions environnementales.

The Acting Speaker (Mr David Christopherson): The floor goes to the member for St Catharines.

Mr James J. Bradley (St Catharines): Thank you for the opportunity to speak on the brownfields bill. This legislation, as I indicated yesterday in response to another member's intervention, is legislation that initially, when I heard about it and saw a report emanating from a committee, I was quite enthusiastic about. Having read the legislation and having heard representations from people who would be directly impacted by it, that enthusiasm was considerably dampened and makes it difficult to support this kind of legislation, because it simply doesn't go far enough. It doesn't provide the relief that is needed because it is such a small step forward.

I think the minister would like to see this go to committee and receive some input and perhaps have some amendments placed. There is a possibility we can improve the legislation if that be the case, but as it is now, it represents to a large extent a downloading upon municipalities. It helps them out a bit in some ways, but they have to assume new responsibilities that could be onerous financially, and if that sounds familiar, it most certainly is.

One of the reasons we want, if possible, to see what are called brownfield sites—old industrial sites I guess is the best way of putting it in many ways—redeveloped is that often they are in the midst of communities, in the midst of municipalities where development should take place. Far too often in recent years we've seen urban

sprawl moving further and further from the core of major municipalities and even of mid-sized and smaller municipalities in this province. It became an issue in the United States to a certain extent in the last election campaign in various contests between gubernatorial candidates. Even in the federal election campaign, the presidential candidates talked about the issue of urban sprawl and its detrimental effects on America, and certainly we could say here.

Most of us live in communities, if we are living in mid- to larger-sized communities, that are urban. Most of us live in communities where the downtown isn't what it once was. Mr Speaker, you're from Hamilton. The Hamilton Spectator, CH TV and your radio stations that deal with talk and with public affairs have talked about downtown Hamilton which was at one time, as was downtown St Catharines, as was downtown anywhere in Ontario, a thriving place. It was the centre of action. It was a retail hub. There were service businesses there. People resided very often in the businesses where they were located. Piece by piece these downtown areas were dismantled as there was a movement, particularly of commercial development, to the suburbs. This of course had a very detrimental effect on downtowns and there is land available now for some redevelopment to take place.

I should say that there was a period of time where we talked about urban renewal and what people really meant was getting a bulldozer in, knocking down the old buildings that had some historic and heritage connotations and value, and putting up some new structures. That may have provided some new buildings in some of our downtown areas, but it made us lose many of those buildings which were very attractive.

1850

The city of St Catharines has St Paul Street, which is our main street; it winds through the middle of the city. From time to time we see some new businesses located there and we're pleased with that. Many of us can recall from our childhood going down to the downtown area and seeing some of the major department stores down there and seeing some other retail businesses which brought people to the core of the city. Now what we see far too often, in my view—some disagree—is a movement of the mega-stores to the periphery of the city. It seems to me I read that the city of Guelph is in one of these battles, where, I think it's a Wal-Mart in that particular case, wants to locate at the edge of the city instead of in the downtown part of the city. One of the councillors on Guelph council is fighting this particular

battle. Indeed, there have been some court cases that have taken place where I think the major metropolitan store, the mega-store—a department store, we would call it—has to provide information on their profits and their sales to see what the effect is on other businesses. So anything we can do that would encourage the redevelopment of our downtown cores is of benefit.

What used to happen at one time was some industrial types of businesses would locate right in neighbourhoods and people would walk to work. Not everybody had a vehicle in those days and it was often convenient to locate these businesses right in the downtown area or a downtown neighbourhood. As time went on, some of these businesses closed; some of the industries moved out to the periphery or into industrial parks. They weren't always as clean a business as we would like them to be today when they've vacated the property. They provided jobs, but in many cases—I think of English Electric in St Catharines—there were PCBs left in the neighbourhood as part of that operation. It wasn't that the company wanted to leave PCBs there; it was part of the operation of a plant.

In Port Colborne there is an issue that's of some significance among people who live next to the Inco plant. They found high levels of nickel and various forms of nickel in the soil and even in the households. The people, particularly in the Rodney Street area as they call it, have had not only the Ministry of the Environment confirm this but also an independent consultant hired by a lawyer representing people in that community against various government agencies because of contamination.

If we're going to redevelop properties of that kind, we obviously have to clean them up. This is where the problem arises. If you are a developer wanting to look at a property of this kind for redevelopment, you may rub your hands in anticipation because of the location and the potential, but your legal counsel will always tell you that it is a dangerous move to try to redevelop this land if there is a possibility of some serious contamination that has to be remediated or perhaps even removed.

Financial institutions have been reluctant to lend money to these developers because they feel that it's risky, first of all, and second, if the development fails and they end up being the owner of the property, they may well then be responsible for the cleanup of that land, and that could be a substantial cost.

I think the government looked at this and said, "Let's try to find some way to redevelop the lands." In the city of Toronto we think of the port lands, the east port in Toronto, industrial lands and so on that have to be redeveloped. The reason there's some interest in those today is the potential of the Olympic Games coming to Toronto in the year 2008 and having to use those lands. But in your community of Hamilton, Mr Speaker, in mine of St Catharines, in that of my friend from Sudbury who has huge smelting and refining operations with Falconbridge and Inco, and in virtually any community you can find that has a major industry, there's a potential for contamination of that land.

How do you solve the problem? The minister brought forward a bill he hopes will provide the basis of that solution. I use the word "basis" because I think an awful lot has to be added to the bill. We're going to try to help him out once it gets to committee. I suspect that, first of all, the deputy ministers, the civil service, were warning, "Don't go too far with this." Then other ministries will be saying, "Watch it. Be very careful. Don't get out on a limb on this." Yet in general the government wishes to see these lands developed. There's good reason for this. We don't want that urban sprawl, as I say.

In our area, the Niagara Peninsula, a good deal of the farmland has been paved over. It's sad to drive along old Highway 8 now, which used to be a scenic drive, and look at commercial and residential development on lands that should be used for farmland. I've always said, and I think most rural members would agree with this and I think many of the urban members, that if you're going to save the farm you have to save the farmer. You have to provide the necessary supports to the farming community to make their operations viable, because they provide something essential to us, and that is food for us to consume.

I look at the Niagara Peninsula, which was once full of tender fruit trees, grapes and so on. There's still a lot there, but so much of it is developed now. I had a tourist coming through the other day who had travelled through New York state and said, "I thought New York state was what was developed, but I drove through most of New York state and you couldn't see any development around, until you get into that area between St Catharines and Toronto, and particularly Stoney Creek, or now Grimsby, and Toronto and you see all this development taking place on good farmland."

Why is that important farmland? First, in many areas there are soils conducive to the growing of tender fruit and grapes, but second and even more important probably, there's a microclimate there, a special climate, that allows tender fruit to grow 27 days longer without frost—this is on average—below the escarpment than above the escarpment. I believe we should be saving these lands. I shake my head in amazement when I watch municipal councils making decisions on almost an inch-by-inch basis to develop lands. There are always people who come in with the argument, "Well, nobody's farming it." Of course not. You leave it lie for a while, the developer buys it, lets it lie for a while and then says, "Nobody's farming it." If you can have an obnoxious use there, even better, because people then accept development. That's most unfortunate.

We passed a resolution in this House not long ago that I brought forward, and I was pleased to see very heavy support for it. I saw it brought forward and approved, yet I know that on a week-by-week basis municipal councils make decisions that can pave over farmland just for development purposes. They always think somehow that the net benefit is there to the community, when sometimes there's in fact a net cost to that development that has taken place.

There's also a need for public transit. This is all part of a package: brownfields development, and public transit issues as well. It encourages people to not get involved in urban sprawl if people can travel by public transit. It means we don't have to keep widening the roads as often as possible. You've travelled the roads, Mr Speaker, from Toronto to Hamilton and you've been into the Niagara Peninsula and you see the roads widening and widening, yet the traffic just keeps increasing. We obviously have to have the provincial government get back in the business, the investment and the operations, of public transit in this province. It will help the air quality, it will help in reducing the consumption of fuel and it will help to preserve our agricultural land, and that is certainly needed.

1900

We have the Niagara Escarpment, a real gem, and I fear when I hear some of the proposals that are coming for the Niagara Escarpment. You're soon going to have a shopping centre full of—if not side by side—commercial developments of some kind or other if we're not careful, if we don't preserve that appropriately.

So one of the components is the component that's called brownfields. I want to be helpful to the minister in making some suggestions on how this legislation can be improved.

For the members who weren't here last night—I know the member for Burlington came in just to hear this at this time—I want to share with the members of the House the comments of Dianne Saxe. Dianne Saxe was a prosecutor with the Ministry of the Environment when I had the honour to be the minister and she did an excellent job. I believe she was on the committee that made recommendations on this and I want to share some of her concerns with the legislation. I suspect that if you were to ask the Minister of Municipal Affairs and Housing on a confidential basis, he would tell you that he would want to see these improvements.

Here's the problem she sees with this legislation. First of all, "Innocent purchasers get some protection from government orders, 'but no protection at all from prosecution or civil suits.'" That sends a chill down the spines of those who want to develop that property. They're afraid of those civil suits; they're afraid of those prosecutions.

Mr Rosario Marchese (Trinity-Spadina): When did she say that?

Mr Bradley: She said this subsequent to the legislation coming forward.

She said that, "While there's some protection regarding on-site contamination, there's no protection for off-site problems, 'a huge problem for any site with groundwater contamination.'" In other words, if you've got an old industrial site and whatever it is—the chemical, the substance—has made its way down into the groundwater, there may be legal obligations for the owner of that property. Therefore that owner is going to be looking for some protection.

"There's no protection for officers and directors and corporations that might consider getting involved in

brownfield redevelopment." Again, now that you can sue directly the officers of a company, they're going to be a bit reluctant to put their financial necks on the line if they feel there's going to be a significant legal suit.

She goes on to say, "There's no assurance that innocent buyers will be able to get mortgage financing for contaminated sites." I dealt with that a little earlier, saying why the financial institutions are apprehensive.

"There's no deadline on the province for completing reviews of cleanup plans, meaning developers may face 'long, unpredictable delays [sometimes] years' after buying a property." That costs the developer money to buy that property, to pay the interest on the money that was borrowed for it.

This is once again why we have to build up the Ministry of the Environment, so it has the staff and the financial resources to undertake activities of these kinds, so that we can see that development take place.

She also says, "And on the matter of who pays, the result is pretty much as expected. 'Municipalities will be able to provide some financial assistance for rehabilitation of contaminated sites,' Saxe says, 'though the province isn't planning to help.'"

She says that, "This legislation, unlike much important business, will go to committee for hearings. The government should come armed with a slew of amendments and a commitment to share the cost. Otherwise this bill will represent little more than an attempt to appear to be acting on a major problem without actually doing much. The Mike Harris government has already put too much legislation of this kind on the books."

I think her advice, her counsel, is very good on this issue. If the government wants to make a meaningful step forward, they will participate financially.

We used to have in this province an environmental contingency fund or a superfund, as they would call it in the US, where contributions were made and could be used for cleanups of this kind. I think the re-establishment of an environmental contingency fund would be very valuable in this particular case. I don't think the person who's buying the property to redevelop it should have to take all of the risk and incur all of the costs, when in fact the benefit is going to be to the entire community.

Municipalities can help a little bit, but they're already strapped for cash. The provincial government, which has lots of money to give away in tax cuts—\$2.2 billion to the corporations, \$235 million spent on self-serving, blatantly political advertising and now a new scheme of giving money away in terms of a tax credit—all this money that's available could be invested in properties of this kind, in helping to clean up these properties and making them paying propositions for the government. They would be yielding tax dollars back to everybody, it would be of benefit to the community and we could help stop urban sprawl.

The Acting Speaker: It is now time for questions and comments.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to offer my comments in terms of what

the member for St Catharines has been speaking about. I would like to say that his comments with respect to public transportation and air quality certainly strike a note in terms of my riding.

I certainly believe in public transportation. We've been trying to get GO Transit back into my riding, the city of Barrie, ever since the NDP government, I think it was in 1992, cut off service from Barrie. We have worked very diligently in recent years to save the track. When the federal government set out their plans to destabilize the railway industry in this country we were able, with the efforts of the city of Barrie, to purchase the line with provincial contributions and that track has remained intact from Bradford-West Gwillimbury to the city of Barrie. The city of Barrie is a part of the passenger rail advisory committee as a consultant, studying the benefits of rail transportation in the area.

I'd also add, with respect to highway transportation, that there was a recent public meeting in my riding with respect to expanding the highway on the 400 corridor within my riding. They were looking at eight to 10 to 12 lanes. I certainly voiced my opposition with respect to what I consider is quality of life and air quality within my riding. I'm totally against that amount of highway traffic coming through my riding, and I don't think it's in the best interests of not only my riding but in terms of the planning that goes through that area. I think the member for St Catharines is right on point on the air quality.

Mr Rick Bartolucci (Sudbury): I'd like to thank the member for St Catharines for providing his excellent insight into Bill 56, the Brownfields Statute Law Amendment Act. All members in this House would do well to listen to the former Minister of the Environment, our present critic, but an activist for sound environmental policies. Whether he was the minister or as a critic or as an independent member, he certainly is one who speaks with conviction and with passion about our environment and how to protect it, so I thank him for offering many, many suggestions to us.

I would suggest that the member for St Catharines grew up in Sudbury. He truly appreciates the job our community had to undergo in order to heal our landscape in the regreening of Sudbury. I think it's a lesson for this province, this country and in fact the world to come to Sudbury and learn how to do it properly.

When Sudbury first started this initiative, we were given the tools to do it. The tools involved financial resources from the province of Ontario. It is impossible to heal the landscape and to revive brownfields without a firm commitment from the province of Ontario to help municipalities do it.

The Conservative government has downloaded so much on to municipalities that there is no more. The municipalities cannot stretch themselves any more. So if this government is truly interested in ensuring that this brownfields statute law amendment comes into play and is a meaningful piece of legislation, it has to increase the tools, give the municipality more tools, and one of those tools is additional financial resources.

1910

Mr Marchese: I want to say to the member for St Catharines, let it not be said that we do not, from time to time, agree with Liberals. I wanted to say to the member for St Catharines that this very evening, he and I are in agreement on this particular bill.

Mr Bart Maves (Niagara Falls): Friends again?

Mr Marchese: It's not a matter of friends again, not friends again. It's just that sometimes we agree and sometimes we disagree. Is that not the case, member from St Catharines?

On this issue, I happen to agree with his reservations. I think he's right to point out some of those reservations. He named Dianne Saxe, a former prosecutor in the Ministry of the Environment, who is now a corporate environmental lawyer and is probably doing OK in that sector, probably getting better paid there now than she was when she was working for you, Jim. God bless. But she has obviously written to various people about her concerns, and I think her reservations need to be taken into account.

It's for that reason that the former prosecutor is asking for hearings. Mr Bradley is calling for hearings and New Democrats obviously agree with the hearings, because it will give people an opportunity to express their concerns or reservations and, yes, if you're going to proceed along these lines, their ideas on how to improve what you have presented to this Legislature and the public so we can move forward with the full support of not just the opposition parties but of many who want to move on the redevelopment of these brownfields.

So I say to the member for St Catharines, we are in agreement with your reservations, and I'll be speaking to that shortly.

Mr Ernie Parsons (Prince Edward-Hastings): When I was a relatively young person, probably eight or nine years old, we were going to the Quinte exhibition in Belleville.

Mr Ted Chudleigh (Halton): How long ago was that?

Mr Parsons: Today is my birthday, thank you very much. I appreciate those compliments.

Mr Chudleigh: But how many years ago?

Mr Parsons: Thirty-nine plus GST.

Just as we got there, my younger brother, as was his way, did something incredibly stupid and my father turned around and we went home. We were so close. This bill has so much potential. It's so close that I feel the same sense of frustration. It could almost achieve what we wanted.

We have taken some of the finest properties in Ontario and damaged them—not irreparably, but we've damaged them. All too often, it has been wonderful property along the riverfront. Here we have an opportunity to remedy that, to take land that should be in use so we don't have to take prime agricultural land, land that not only should be put back into use because it preserves agricultural land but land that is in the right location, in the downtown core, in an area where people want to be. Yet the magic

wand that needs to be there to make this happen is money.

Municipalities that are already struggling aren't going to have the money to do what needs to be done, to restore that land back to useful things.

To promise SuperBuild—I think SuperBuild exists so we can have photo opportunities and media events and reannounce and reannounce. In fact, the major reason for SuperBuild seems to be to pave more agricultural land and make new highways. It's actually quite counter to this bill, which wants to restore damage that has been done to our earth.

I concur with the member for St Catharines, with the reservations. Unfortunately, there have to be the finances to restore it, and this bill doesn't provide those.

The Acting Speaker: I think I speak on behalf of all members when I extend to you best wishes on your birthday.

The member for St Catharines now has two minutes to respond.

Mr Bradley: I appreciated the comments of the members for Barrie-Simcoe-Bradford, for Sudbury, for Trinity-Spadina and for Prince Edward-Hastings. As members can see from last night and tonight, this isn't a highly partisan debate. It's not charged with partisan rhetoric. It is reaching out and trying to help the Minister of Municipal Affairs, who I think is trying to achieve something positive in terms of this kind of brownfields development.

The member who represents Barrie-Simcoe-Bradford really homes in on a problem for communities like his. I've been up that way. I can remember when it was single-lane either way up Highway 27, and now it's a multi-lane highway going through the communities he represents. There's no question that adds to the kind of air quality you see, which is less than desirable sometimes. It simply affects adversely in many ways the quality of living we can have in any one of our communities.

I would like to see GO Transit, I say to the Minister of Municipal Affairs, who can speak to the Minister of Transportation and the Premier, extended to places like Barrie and St Catharines-Niagara Falls and so on, with provincial funding and assistance. I'll be the first to compliment the provincial government if indeed that is the case, regardless of what political stripe it happens to be.

Sudbury is a good example of a community that, with provincial assistance, saw a lot of greening of that community, which at one time was badly damaged by some of the pollutants that were around there. The member for Trinity-Spadina would know of the Niagara neighbourhood and the south Riverdale neighbourhoods which were cleaned up when they had contamination from lead smelters. It can be done, but brownfields development is only one component of a multi-faceted plan.

The Acting Speaker: Further debate?

Mr Marchese: I'm happy to speak to this bill, the Brownfields Statute Law Amendment Act, on this day,

Tuesday, at 7:20. Good citizens, welcome to a political forum. I want to say immediately, to dispel any misunderstanding about what we are talking about tonight, that brownfields are not fields covered in excrement. That's not what we're talking about. It appears like a euphemism for that. Often here in this Legislature we use so many acronyms and we speak so abstractedly about so many issues that we assume 90% of you, maybe 80% of you, understand what we're talking about. I'm convinced those of you watching, before we started this debate, had no clue what brownfields are. That's why I said it could be a euphemism for fields covered in excrement.

I wanted to dispel that right off the bat and say that, as New Democrats, we are supportive of an initiative that begins to deal with these old contaminated sites. Contaminated sites are not helpful, healthy or good for anyone. Whether you live in the city, the suburban areas or wherever you are, if they're contaminated, it's a problem and they need to be dealt with by government. That's why, as an initiative, it's important to begin to present it here for debate. But as the member from St Catharines mentioned, it doesn't go far enough, and that's our concern as New Democrats as well.

Good citizens, the province has had a whole lot of money in the last five or six long years to deal with so many concerns that plague us as citizens, yet the province refuses to pony up to deal with them. In fact, all this government does is whine about the federal Liberals not delivering on their obligation as a federal government to support the poor province of Ontario to deal with the concerns in health, to deal with the concerns in transportation, to deal with issues of housing, to deal with everything and anything you can imagine. The federal Liberal government at one point was supportive financially of the provinces to deal with some of these social obligations.

But to put all the blame on the federal Liberals is simply not fair, because Mulroney started that in 1990 when those, dare I say, hapless New Democrats at the time, plagued by a recession beyond the control of any political party—but we happened to be there and we take responsibility; quite right—said to Mulroney, “We need your help. We need the money we used to get from you, particularly now that we're in a recession when there's very little money coming in. For you, federal Tory government, to get out of the field of helping provinces is simply irresponsible. How can you do that?”

1920

I remember Harris and Stockwell and others on their side saying, “Stop whining, Bob Rae. You've got the wheel. Start driving. You're in control.” To hear Mr Harris constantly whining like a little baby here in the Legislature and attacking the federal Liberals for not giving them enough is just—oh, my God, to see them cry like that is just a pitiful sight.

Why do I say this? I say this because Harris has had five or six years of a good economy, enough money generated by a healthy economy to be able to put it back into areas of transportation, health, housing and, yes,

even this very issue of the redevelopment of these brown-fields.

So to Mr Harris, to the Minister of the Environment, the Minister of Municipal Affairs and Housing, to all these people because you're all in it together, I say just release some of that money. Release some of the money you've got for some good social causes. Yes, if brown-fields is an important initiative for you, pony up. Spend some of the money. Take back some of the money you've given to your special interest buddies and put it into the redevelopment of these sites, because we need your help.

I am convinced that the cities, as pleased as they are by the initiative, are going to say when we come to the hearings, "We need more. You're saying to municipalities that we have the power to give tax relief to any corporation, any developer that says, 'We want to redevelop your site.' We're supposed to say, 'Here you go,' and give them tax relief. But we need help."

I am convinced they will come to the committee hearings and say, "This is a good initiative. We're happy to help, but we need you, the province, to help us a little." I'm telling you why they're going to come and ask for that support from the province. It's your downloading of so many responsibilities that you've passed on to the cities. Housing: 100% of housing is now in the hands of the cities, paid for by the city taxpayers, the property owners whose taxes have been jacked to the point that they're screaming bloody murder. Transportation has been downloaded to the cities. They're saying that the property taxpayer is so fed up with paying taxes out of the property tax base that they're unwilling to co-operate with the cities. Public health—another downloaded responsibility. Cities have no money. They're broke.

So now you're going to the cities saying, "Here you go, cities. We're going to redevelop the brownfields, and boy, have we got an idea for you. We're going to give you the power to provide tax relief so those who want to redevelop those properties might, as an incentive, be induced to do so." Of course there's some logic to it. Naturally, if the corporate sector, the private sector, the developers, redevelop some of these sites, it's a revenue-generating idea, so of course they like it. To the extent it is possible, to the extent it works, to the extent it's economically feasible, I'm convinced the cities are going to say yes. But it's still a dumping measure. It's still a measure that says to the city, "Here, you can do it," as opposed to, "Here, cities, this is what we are going to do together, because we know you're financially strapped. We know you can't do it alone. Yes, we have money, billions of dollars, and we're going to help you." If you said that to the cities, to the opposition parties and to the public, they'd all be joining you.

That's why we are delighted with public hearings. It's amazing how the government decides in advance when we're going to get public hearings on something and when we're not. By and large, it's a good initiative. While you might be criticized somewhat—or a lot, because though it's a good initiative they're going to say,

"You'll have to put in more money"—it's still an initiative that people are going to like.

So you know what you're doing in calling for hearings. We support that, because we want to hear from the board of health from the city of Toronto and from public health generally, throughout, all those involved in public health, not just the cities and municipalities and citizens but those who have a concern around public health, particularly in Toronto the board of health. We want to hear what they have to say.

While we agree with the reservations expressed by Dianne Saxe, the now corporate environmental lawyer, the then prosecutor for the Ministry of the Environment, agree with some of the concerns she states about initiatives around liability, where this government says they're going to have to be somewhat lax with respect to issues of liability, and while many people agree with that, I suspect Saxe has been saying it doesn't go far enough, that the issues of liability may have to be broad, very broad, to provide the incentive to the private sector to get involved.

She's got concerns. I appreciate that, and we need to hear from people like her. But we want to hear from so many others who, I have no doubt, will have concerns. Yes, for developers who want to develop a site, freedom from liability for pre-existing contamination, provided that a record of site conditions has been filed; that's good. If a developer comes in and says, "We want to develop a site that's been contaminated by someone else," they shouldn't be liable. I appreciate that.

Of course, the people who left the site contaminated have gone, abandoned those sites; they probably didn't pay their taxes so they had to abandon it. God bless them. This is the private sector for you, good citizens. These sites were owned by some private developer who decided at some point just to go belly up and abandon the site. And do you know who's left holding the bag? You, good taxpayers. Cities are left holding the bag, provinces are left holding the bag, while they go away scot-free. That's the private sector for you. From time to time they do these things. We have no way, of course, of recovering the money from these people, because they're gone, gone far away from the grasp of the law and from the grasp of any regulatory measure that might have been in place. I decry the fact that so many of these corporate malevolents leave these sites contaminated and leave it to the good citizens of Ontario, the good citizens of any municipality, cities on their own, to have to deal with these problems.

But of course now that we have the site, we've got to deal with it. In the city of Toronto we expect one million more people to come here and want to settle here in the next 15 or 20 years. I know people want to be in the city of Toronto. I know that. I see it in the riding of Trinity-Spadina. Professionals want to come and live in the city of Toronto because they love the city life. God bless them. I love it too. That's why I'm living downtown. They all, it seems, want to be close to their workplaces, I suspect, many of them in Trinity-Spadina.

Hon Robert W. Runciman (Minister of Economic Development and Trade): Where in Rosedale do you live?

Mr Marchese: No, no. This is south of Dupont, please. Not Rosedale. We're talking south of Dupont all the way to the lake, the western boundary being Dovercourt, the eastern boundary being University Avenue, this side of the Legislature. We're not talking about the rich folks north of where I am. I'm in a modest area—

Hon Mr Runciman: What's your house assessed at? Where do you live?

Mr Marchese: I'm on Montrose, south of Bloor, by Christie Pits, where there's a whole lot of baseball going on.

Hon Mr Runciman: You live with all those free enterprisers.

Mr Marchese: Please. I'm talking about people's desire to live downtown, and I think that's good for us. Imagine. So many other cities in the US—it's not good to look there for examples, because for the last 20 or 30 years they've ruined their cities; people have flocked away from their cities. Whereas in Toronto, unlike American cities, we've kept people here in a very residential community in the heart of downtown Toronto. People want to be here, and I say this is great. We need to redevelop these old, contaminated industrial sites which are called brownfields. We need to redevelop them because there are positive effects of so doing. But people are saying, "We need you, province, we need your help."

1930

That's why I said initially, in terms of our reservations around this particular issue, that we can't do it alone. Cities cannot take this social obligation on their own, but they take this obligation on. Why? Because they are keenly interested in avoiding urban sprawl. That's why redevelopment of these old sites is so critical, because it can keep people here in the city of Toronto. It will keep people so close to their workplaces that they won't have to drive for miles and miles—in kilometres, the now rule. I think that's wise.

More and more people in the city of Toronto ride their bikes as opposed to taking their cars to work. It's a healthy thing for society that so many in downtown Toronto are conscious of that, that they walk and take bikes to work as opposed to going to and fro by car, unlike so many of these Tories, dare I say.

Of course, avoiding urban sprawl is an important issue. But here you have—

Mr Chudleigh: Do you ride your bike?

Mr Marchese: Yes, I do, from time to time. I do that often.

Mr Chudleigh: Do you claim mileage for your bike?

Mr Marchese: Speaking of mileage, I wonder how many of you fine Tories collect on your mileage bill. We should look at that.

Interjection.

Mr Marchese: I'm sure that if you looked at some of those things more than one would be embarrassed in this place.

Interjections.

The Acting Speaker: Order.

Hon Mr Runciman: We recall some things.

Mr Marchese: You recall indeed, and do you know what—

The Acting Speaker: Order. Please take your seat. The Minister of Economic Development will please come to order. Thank you. The member for Trinity-Spadina may continue.

Mr Marchese: We should indeed, Minister Runciman from Leeds-Grenville, check into those mileage forms that some members fill in. It would be full of surprises, no doubt.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): Don't throw rocks, Rosario.

Mr Marchese: No, I was referring the rocks back. Rather than throwing them, I was just turning them back.

People in the city of Toronto want to avoid urban sprawl indeed, and when this government proposes to build highways and more highways as a way of dealing with issues of smart growth, a whole lot of people in the city of Toronto are saying, "This is a dumb idea." If you want to help the environment you pour money into public transit as opposed to pouring money into more highways in those areas outside of Toronto where we're trying to preserve farmland, in the areas where the moraine is, rather than building highways around those regions. A whole lot of people are saying, "It's dumb that Conservatives could dream of suggesting that smart growth means creating more highways in those sensitive areas of Ontario. That's not smart growth. We know it isn't. Smart growth is supposed to be environmentally sound by way of the projects you propose, not destructive of the environment, as you are proposing through your suggestions of more highways.

You can't play with the usual kind of language which you do. I say to the good citizens, when these people hear language that purports to say something, it means something else; it belies the content of what it is they're putting forth. It's never what it seems. So when they say smart growth and it gives the appearance or the sense that somehow they're creating some environmentally good ideas or sound ideas, it isn't. It's like the Tenant Protection Act, which suggests the protections are for tenants, but the protections are really for the landlords. You've got to watch out for these Tories. You probably have already noticed that in the last six years, but, please, when you hear some of these ideas that mean something, try to remember that it probably means the opposite.

We say to the government, yes, the redevelopment of brownfields is a good idea; no, it's not a good idea to dump and download more responsibilities on to the municipality. Why? Because you have broken them, as a result of which they are broke, there is no money, as a result of which they are talking about new ideas to raise more money so they can make their cities livable, sustainable, which means finding more user fees in order to raise the money the cities need to become sustainable, to remain healthy to the extent that they can.

Yes, we support the redevelopment of brownfields, of course. But we're saying that we're going to need this province to kick in some bucks. We're going to need this province, which has gutted the Ministry of the Environment by sending 1,000 people out of that ministry, to come back into the field, to hire some people, so that if you're going to talk about these sites and having some directors oversee some of these development and site plans, that they have the resources to say, "Yes, this site plan is good. This site plan is bad." There is nobody left in the ministry to do that. So we need, good citizens, the province to help us to redevelop these sites, without which this idea is not much of a good one.

The Acting Speaker: It is now time for questions and comments.

Mr Chudleigh: Brownfield redevelopment is certainly a far overdue initiative in Ontario. As the previous speaker, the member for Trinity-Spadina, mentioned, it is something that is conceptually good, and I think we can all agree that brownfield redevelopment is a good thing for Ontario. Of course the speaker is always interesting to listen to, but listening to him you would think that this initiative is draconian when it comes to the way it's being implemented.

He talked about the American cities. The American cities are a wonderful example to Canada, where they have decayed centres in their cities from brownfields that were never redeveloped. To redevelop those through this initiative would go a long way to preventing the degradation of the Ontario cities in the same fashion that American cities have fallen.

Certainly in my own riding in the town of Milton there is a site on Main Street, which is a brownfield, that through regulation is going to be very difficult to renovate. But with this legislation it will become much easier to renovate that and preserve the downtown section of the town.

Listening to the member, he talked about—his term—"downloading" on to the municipalities. You would think the municipalities were dead broke after the last eight or nine or 10 years. In my community—

Mr Bradley: They are broke.

Mr Chudleigh: The member for St Catharines said, "They are broke." Over the last five or six years there have been no tax increases at all in the region of Halton or in the town of Milton or in the town of Halton Hills. How fat were they eight years ago?

The Acting Speaker: Thank you. The member's time has expired. Further comments or questions?

Mr Bradley: I enjoyed the remarks of the member for Trinity-Spadina and I particularly want to focus in on a comment he made about many Canadian communities compared to major US cities. One of the things you notice is that in many large US cities nobody lives downtown. I was telling an American author about downtown Toronto and that if you look at downtown Toronto you see a lot of residential development taking place. Unfortunately, we're not seeing it in the lower-income area where we need it, but we are nevertheless seeing some

development taking place downtown, where people actually live in this city. If you take a place like Cleveland, which has made a major effort in the US to improve its downtown, and indeed there are restaurants and bars, hotels and convention centres and so on, there are still very few people living right in the downtown area. It evacuates after a certain period of time in early evening.

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What I think brownfield redevelopment can do in some of the cases is, it can encourage some high-density residential development in a downtown area. If we're going to help reinvigorate our downtowns, one of the things we want is for people to live down there, to be adjacent to the services and retail that's there to make downtown a viable place. I hope this will happen. The member for Trinity-Spadina was wise in raising that issue, that we should always be encouraging people to live in a downtown area to make it vital, to make it alive, to encourage further development to take place that will be good for the economy of that community.

Mrs Julia Munro (York North): I would just like to add a couple of comments to this debate because I agree with the idea that we have to find ways by which we can ensure that we continue to have a vibrant downtown core, and this legislation certainly speaks to that issue.

The member who just spoke talked about—and so did the member from Trinity-Spadina—the difference between places like Toronto and its American counterparts. That's been one of the hallmarks of Toronto. I want to add emphasis to the fact that this legislation is designed to make sure that we can have continued commercial, industrial or residential activity in places which today are abandoned and seen as high risk. When you look at the developments that have taken place in the last 25 years in the whole 905 area, it has demonstrated the need for this kind of legislation and the fact that we must continue to find ways to provide the kind of incentives that are set out in this legislation to encourage people to make those investments.

People who are outside the major urban core sometimes forget that there are those sites in small-town and rural Ontario that also need this kind of legislation to allow for that kind of investment to take place. I think it's a most important piece of legislation to continue that economic viability.

The Acting Speaker: Further questions or comments?

Mr Parsons: As I mentioned earlier, I still think this bill is a bit of a teaser. We know the issue in the large urban areas. We hear there have been no tax increases. I would invite members to check the tax increases in a lot of rural municipalities and there have in fact been tax increases. There are also municipalities that have had no tax increases. There have been reductions in service to accommodate that.

Mr Bradley: Or user fees.

Mr Parsons: Or user fees. Most municipalities are now charging for all kinds of services, even for children's services. We're seeing swimming pools closed. The charade that there have been no tax increases is not

true in most of Ontario. They may just come in different forms.

Interjection.

Mr Parsons: Yes, 864 user fees we're now hearing have been implemented since 1995.

But not every municipality is in the situation with brownfields that they want to restore, but they've got the rest of the community healthy. There are municipalities, there are small towns and villages in Ontario where there was industry and the industry is gone. We see the amalgamation craze and just-in-time manufacturing in the Metro Toronto area. We have municipalities that have lost virtually all of their manufacturing ability. The fields are there, but there is not the tax base existing for that municipality to take and restore them to make them viable.

Granted, there may not be another industry and there may not be a need for housing, but the chemicals are still in that land and all too often that land abuts rivers or streams and the chemicals that are in there, due to the law of gravity—I know this government would repeal the law of gravity if they could, but it's still in effect and gravity continues to cause these chemicals to leach down into the watercourse and into the river.

This bill doesn't even begin to approach the need of municipalities that may not want the land for development, but want safe drinking water and land that's safe for their children to play on.

The Acting Speaker: The member for Trinity-Spadina now has two minutes to respond.

Mr Marchese: I thank some of the members for some of their comments. I would say in response to the member for Halton, I didn't say this bill was draconian. I never used the word once. I didn't say that. I just said that if we're going to go through with this initiative, we're going to need help. Cities are going to need help to be able to redevelop these sites. That's what I said. I didn't say it was draconian. Perhaps you are misusing the term or perhaps you misheard what I said. I don't know.

Yes, this initiative would help to prevent some of the disasters we've seen in the US. That's what I was saying. I agree the city of Toronto and many other cities in Ontario are so radically different from the US because of the foresight of some of the work by many of our city councillors in many parts of Ontario to have made cities livable and, dare I say, they did it in spite of provincial governments. But this is the first time in our history where cities are fighting governments to maintain the livability of their cities. The member from Halton is saying municipalities are not dead. He must be the only one sleepwalking through the disaster because every mayor in Ontario and in Canada is saying, "We need help. Provinces have to help the cities in order to make cities stay alive, otherwise they're going to be killed by these provincial governments who are downloading and doing so little for our cities."

Yes, people want to live in the cities. Yes, we need space for them and these brownfields are the places to do it. We're saying to you, "We need provincial money to

redevelop them in a way that we will have the people," but you have so little credibility, you see. This is the same government that got rid of the Planning Act changes made by the NDP that required municipalities to plan for compact communities that could accommodate transit. This is the same government that's building a highway in the GTA that would put a stake through the heart of the Oak Ridges moraine. You've got no credibility left.

The Acting Speaker: Further debate?

Mr Tascona: I'm very pleased to join in the debate on Bill 56, which is entitled the Brownfields Statute Law Amendment Act, 2001, which forms part of the government's Smart Growth strategy to promote and manage growth, to sustain a strong economy, strong communities and a clean, healthy environment. I'm going to comment on the Smart Growth because there was a conference held today in the city of Barrie with respect to the Smart Growth initiative, which I'm going to speak about shortly.

But on the brownfields statute, redeveloping brownfields encourages smarter patterns of growth because it cleans up contaminated lands, makes more efficient use of existing infrastructure like roads, sewers and schools and provides an alternative to developing on greenfields and farmlands. The proposed legislation is the result of two years of consultations and discussions. It incorporates recommendations made by a panel of brownfield experts appointed by the province in September 2000. It addresses the key challenges to the brownfield cleanup and redevelopment, environmental liability, planning processes and financing.

Smart Growth, which is an initiative of the municipal affairs ministry, deals with a number of issues. I'll just use my riding as an example. Barrie-Simcoe-Bradford is made up of Bradford-West Gwillimbury, which is essentially a rural community, the town of Innisfil, which is in essence a rural community, and the city of Barrie, which has developed into the regional centre for Simcoe county but is in essence an urban community. What you have, on one hand, because of the tremendous growth that is happening out there, is urban growth from the city of Barrie and the surrounding areas, and I won't just limit it to the areas in my riding. There's the township of Springwater, there's the town of Oro-Medonte and other areas, the town of Essa, for example, which are essentially agricultural areas, rural areas if you wish.

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So you have the challenge that you're facing in terms of the transportation arteries which you have going through those areas, the environmental concerns, which I'm going to comment on, and the economic aspirations of the area, obviously to have employment in the area. But it's obvious that people do reside, for example, in the city of Barrie and there is extensive commuting, whether it's to Orillia to the OPP, to Honda down in New Tecumseh, or down to the GTA, and there are also those transportation pressures which I spoke of earlier.

There was some interesting information provided at this Smart Growth conference—basically the source is Statistics Canada—on the demographics of the area and the growth, which is going to be tremendous. The population projection for the city of Barrie in 1996 was 79,200, and for 2021 it's projected to almost double at 155,600 people. The population of the county of Simcoe in 1996 was 339,900 people. It is projected to grow by the year 2021 to 571,800 people. Representatives from the district of Muskoka were also there today. In 1996 the population was 52,000, and it is projected to grow by the year 2021 to 72,600. So those are significant increases in terms of percentage. They certainly may not be as significant as in other areas south of this area, but the population impact will be significant on the area.

Also, the age distribution they were looking at showed that it's going to change drastically by the year 2021. The focus and the highest percentage of the population will be in the 50-and-above category, which is somewhat different than right now, where it's obviously at the lower end.

But what they were indicating was that population growth wasn't necessarily going to be coming from births, but from population coming to the province from out of the province, within the country and also from out of the country.

On the economy, in terms of this area, it's very interesting. The participation rate in 1996 in terms of employment was 66%. The March 2001 unadjusted unemployment rate in this area was 5.3%, which is below the provincial average. It's obvious because you're looking at an area that has tremendous growth in construction—and residential construction, I may add. The major employers in the area are Honda Canada, Casino Rama and the Royal Victoria Hospital. There have been significant recent investments in employment through Casino Rama, Rosten Investments, Bemis Manufacturing, and also Hydro One locating their operating centre in this area, and those are thousands of jobs.

Before I get to the agricultural area, which is very important to look at, the distribution of the population growth in the area is as follows: the city of Barrie is 30.3% of the population, Simcoe county is 61.6% and the district of Muskoka is 8.2%. So you have a very large population from one major urban centre dominating this particular area.

In the labour force, the biggest employers are in manufacturing and related to the automobile sector, and in retail.

Agriculture, which I alluded to earlier, is a very important area. It came up at this conference, and it's important because of the brownfields approach in the statute, which is to try to focus development away from developing on greenfields and on farmland.

Agriculturally, the statistics on the percentage of number of farms, there was an increase in the number of farms from 1991, which was 2,900, to 1996, which was over 3,000. In my area, there is very diverse farming. We have the Holland Marsh, which is vegetable and fruit

growers, and also crop farmers in the area and livestock. One area I want to comment on when you deal with infrastructure, which is a part of this issue in terms of air quality and in terms of transportation and gridlock, is the Holland Marsh, which has an access—

The Acting Speaker: Take your seat, please. I would say to the member for Trinity-Spadina, most folks listened very patiently to your remarks. If you would show the same courtesy, and also to the member for Kingston and the Islands.

Sorry for the interruption. Please continue.

Mr Tascona: Thank you, Speaker; it was well taken.

I will say this: there's a road that connects these farming communities on to Highway 400 and there's an interchange. I guess as you develop—and this is kind of interesting—a community like Bradford-West Gwillimbury, which is fortunate enough to have GO Transit, I may add, you have the new population that is moving into the urban area, the downtown of Bradford-West Gwillimbury, using that road that was designed strictly for the farmers to get on to Highway 400 and at the end of the day to get off of Highway 400 to go back to their homes. That's a tremendous challenge, and the MTO is looking at that as part of their Highway 400 planning study.

I've said for the record, and I want to repeat it here today, I don't believe it's good planning to—they were looking at closing off that ramp, the interchange, to the 400 from that road. I think that would be bad policy. I don't support that. I want that road to remain as it is and I don't want that interchange to be disconnected off of Highway 400. But I would say, because of the urban pressures and people who want to use a road to get on to Highway 400, maybe at Concession 5 they may want to put a road to connect to Highway 400 to balance what is essentially an agricultural area being overridden by urban growth and people trying to get to Highway 400. Leave it as it was intended to be many, many years ago.

Other aspects of what we're dealing with in terms of brownfield strategy, because the essence of that—I know the member from Toronto is laughing over there, but really Toronto is where you find brownfields. That's where you find them. We don't have them up in my area, but they have them here in Toronto. They have a major league challenge in terms of offering residential housing for people within the city of Toronto who work here or want to work here and not coming up to my area, for example—they can hopefully provide the affordable housing they need within the city of Toronto—and building on the greenfields, building on the agricultural areas. He's not laughing now, because it's a serious issue. But the bottom line is, that's very important. This is an opportunity I see in terms of developing a better community, a better Ontario.

Another area that is characteristic of my area and which is important for transportation is the amount of commuting that occurs, and the type of commuting. What basically came out of this is that you don't see in my area—because we don't have GO Transit. We're not blessed like the member from Toronto and others who

have GO Transit; we don't have that. That was taken away by his government, the NDP government, in 1992, probably one of the most short-sighted and foolish decisions I've ever seen in my life, but it was taken.

So the bottom line here is, here we are in the year 2001. We have an expanding area, a tremendous amount of commuting. The commuting is done by car, by single people driving their cars, and we don't have the commuter setup that we were hoping to get through GO Transit. So that's what our focus is. We're studying that problem. We've hired a consultant through this advisory committee which I chair. We've maintained the line that was saved by Ontario, along with the city of Barrie, from being torn up, according to the federal Liberal government policy of the day in terms of railways, which was short-sighted. I'm pleased to say the Minister of Transportation, David Collenette, is now looking more focused on the benefits of public transportation through his marching orders, if you wish, to Via Rail.

2000

So we have this issue with GO Transit. We're trying to bring GO Transit back to the city of Barrie. We're not as fortunate as Oakville. I'll give you an example. Oakville and Oshawa have about 20 trains a day going out of those communities. That's a tremendous amount of usage. We would like to get one train, maybe two. Bradford-West Gwillimbury has two trains a day going out of there. I could tell you it would be used the same way in the city of Barrie, except for that short-sighted decision made by the NDP government back in 1992.

There's another aspect of Highway 400, which I talked about earlier, in terms of the expansion there. That's part of the problem and the short-sightedness of the previous governments of the day—the Liberal government from 1985 to 1990 and the NDP government from 1990 to 1995—in terms of dealing with this issue. This is a major issue in Toronto. It just didn't happen overnight in terms of brownfields and the opportunity for residential development down here, and affordable housing. Quite frankly, that's one of the reasons people come into my area: for affordable housing. They can't afford the housing in this area. Toronto is just a very expensive community to live in.

I think the brownfields strategy would allow, perhaps, the development to take place in terms of making Toronto a better community than it already is. So my point of view on transportation, and there's a major problem with transportation in the city of Toronto, obviously, in terms of gridlock—ask any member who drives here—in terms of the number of people who drive through Toronto, and the air quality that causes. But obviously the politicians of the city of Toronto and the members from the NDP government of the day didn't have the guts to take on that issue. It's unfortunate that they didn't have the disposition to really attack the problem. They still don't.

What I'm faced with up in my riding is looking at, "Oh, Highway 400; yes, it should be increased to eight, to 10 to maybe 12 lanes." Utter nonsense. That's not the

type of community we want. You need 12 lanes to go all the way up to Barrie? For what? We're 100,000 people—12 lanes: can you imagine that happening down in Toronto? If anyone had the common sense to extend the Allen Expressway to the heart of the city, it would be a major upheaval.

I want to give my constituents the confidence that that's not something I support. I would never support something that would be what I would call poor planning in terms of a 12-lane highway on Highway 400 through the city of Barrie, very poor planning. It would be planning as bad as that of the NDP government in 1992, ripping GO Transit out of the heart of the city of Barrie, and the opportunity.

Mr Marchese: On a point of order, Mr Speaker: Would you check for a quorum, if you don't mind?

The Deputy Speaker (Mr Michael A. Brown): Is a quorum present?

Acting Clerk at the Table (Mr Doug Arnott): A quorum is not present.

The Deputy Speaker ordered the bells rung.

Acting Clerk at the Table: A quorum is now present, Speaker.

The Deputy Speaker: The member for Barrie-Simcoe-Bradford.

Mr Tascona: The NDP government ripped out of the heart of the city of Barrie in 1992 GO Transit, the most outrageous decision when I was on council. I was on council in 1992 in the city of Barrie.

But I'm going to talk a little bit more about the Smart Growth, because there was such a great conference in the city of Barrie today. One of the other things we were dealing with was the environment. The environment is very important to my area and the district of Muskoka. The major natural features of my area are the Niagara Escarpment, the Oro and Oak Ridges moraine, the Georgian Bay shoreline, Muskoka Lakes and Lake Simcoe. That is a tremendously important area to the people who bound on Lake Simcoe. Those are important considerations in terms of dealing with Smart Growth, and that's why the brownfields strategy is a part of that, because there's only so much urban growth that can be sustained near those waterways.

The member from York North and I have been working very hard with respect to Lake Simcoe and, in terms of the provincial government, they've made significant contributions, obviously, toward protecting that valued water area. It's important. It's not something that—

Interjection.

Mr Tascona: The member from Toronto continues to laugh about the brownfields. This is important in terms of protecting our greenfields and our farmland—agricultural areas, as you put it. As I said before, my area is an urban-rural-agricultural area and a case study in terms of where smart growth has to be applied.

One other area where we don't have the benefits of the urban areas is in higher education. We're fortunate that we have Georgian College. The province has contributed

significantly to Georgian College, and it serves many areas: the district of Muskoka, Simcoe county, it's over in Dufferin county. Certainly we hope to see its enrolment expand, perhaps double. I know they're doing tremendous work there in terms of—I was there a couple of weeks ago—the first residences that they're going to have on that campus, privately built.

Higher education is something that in my area has really, sorely, not been able to attain the spaces that are needed. I think the policy of our government, in terms of granting degree powers, is a tremendous improvement in terms of providing higher education in my area. But it all goes together. If you don't have an educated labour force, if you don't have a qualified labour force, you can't attract those businesses up there, and that's part of the Smart Growth strategy in terms of the pressures that you have to have. If we had more people working up in the city of Barrie, we'd have fewer people on the highway. It's just common sense.

Those pressures, as I said before—urban growth, the agricultural areas, the environment, the economic growth that you wish and transportation—are all present.

I'm very pleased to have spoken on this bill.

The Deputy Speaker: Questions or comments?

Mr John Gerretsen (Kingston and the Islands): Obviously the member feels very strongly about his area, and he spoke about it in a very passionate sort of way. But what I cannot understand: he talked about GO Transit and transit in general, and just by pure coincidence I happen to have a sheet here which deals with the budgets of those areas and what this government has done to transit. Look at it. In 1996, the province spent \$760 million in total on transit. What did we spend last year or this year? \$100 million. In the year 2000, we only spent \$38 million in assistance to GO Transit; much less than in 1996.

The member talks about Smart Growth. I went to one of those conferences as well, which was a great PR exercise by the minister. What I can't understand is, where was he when the various ministries were gutted of their land use planning staff within the Ministry of Agriculture, the Ministry of Natural Resources, the Ministry of Municipal Affairs and the Ministry of the Environment? He was right here. He's been here for the last five or six years. He saw those ministries being gutted, and all these land use officers were let go. Where was he at that point in time? Where was he in 1996 when the Ontario Planning Act was totally changed and revamped whereby it's no longer necessary for official plans and zoning bylaws to be consistent with provincial policies, but they simply have to have regard to provincial policies?

He knows there is a significant difference there whereby basically local municipalities can do whatever they want without having due regard to and being consistent with provincial policies. He knows there's a big difference there. So I say to the member, your heart's in the right place but you were here when all the ministries that effected what you were talking about were gutted.

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Mr Marchese: I tried using all the faculties at my disposal to understand what it is that he was saying about brownfields. I think he mentioned the word twice, but I wanted to learn from him about this issue of course. I made my views known; I wanted to see what views he had on this matter. I'm afraid I didn't learn much from that except to suggest to him and to his government that you've got so little credibility on this issue. I know it hurts but, for the good people of Ontario, this is the same government that got rid of the Planning Act changes made by the NDP that required municipalities to plan for compact communities that would accommodate transit.

Hon Mr Runciman: That's credibility for you—12%.

Mr Marchese: Bob Runciman, you killed that bill, the very bill that speaks to smart communities, if you're going to use that word. You killed it. He talks about concerns for protecting his farmland and yet he killed that Planning Act bill the New Democrats introduced and also they want to add a new highway in the northern GTA which will put a stake in the heart of the Oak Ridges moraine. They call that Smart Growth. What a puerile attempt to disguise the truth. It makes no sense in terms of what they are saying versus what they are doing. The realities clash.

It's like Shakespeare says, "Fair is foul, and foul is fair." So when they speak of Smart Growth it's not the smart growth you good citizens are talking about; it's something else. It belies the truth. You see, foul is fair, and fair is foul. Shakespeare was right 400 years ago. You've got to remember that as you listen to these guys blah, blah, blah around these issues.

Mr Tilson: The issues raised by the member for Barrie-Simcoe-Bradford are not new issues. It's been a concern that existed through the NDP reign. It existed through the Liberal reign. That was the environmental issue of where individuals, corporations, developers, municipalities, whoever, found things under the ground that was about to be developed. You people did nothing about this. You did absolutely nothing. You were asked to do something and you did nothing.

Mr Marchese: You should know better. You were here, I think.

Mr Tilson: I was here and I watched how you did absolutely nothing. You did nothing to improve these polluted lands. This legislation is designed to do that. You can talk about downloading, you can talk about whatever terminology you want. The fact of the matter is, when you were in office, when the Liberals were in office, this issue was never dealt with, it was never once dealt with by your governments.

It was raised in this House. I raised it. I asked, "What are you going to do about the liabilities that are being raised as a result of people purchasing land and finding pollutants under the land that cost astronomical amounts to repair?" You did nothing, and you did nothing. This legislation is going to make it a lot easier for people to clean up these lands and to recycle brownfields. It's going to make it easier to take advantage of the brownfield

opportunities. It will make more efficient use of existing infrastructure and preserve our parks and farmlands. That's what it's going to do. That's what we were asking you to do. You didn't do it, and we're going to do it.

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I can recall the early 1980s and I don't think the Liberals happened to be in power at that time. I was on the municipal council and we used to run into those issues, so you're not off scot-free, sir.

Mr Tilson: You were there, John. You just didn't know you were there.

Mr Cleary: That's OK. There are a few things you don't know. Anyway, I know that the ministry has been gutted and it makes it very difficult. We've got many of these sites in our community and there are dilapidated buildings on them and they can't be developed. I just hope that the government has plans, and not only the will to do it; there have got to be some dollars to go along with it.

While I'm up here, I want to talk about the infrastructure in my community. The municipalities seem to have a hard time getting partners to help them with this infrastructure. If we don't get the infrastructure fixed, namely roads and bridges, there is not much use in developing these brownfield sites.

I know there are many eyesores. Municipalities have struggled to do the best to their ability. In my community we've had 30-some plants that downsized and closed. Some of that land is still available. Some of it is going into recreation facilities and they are struggling with the other parts of it to see the best use possible for future generations.

I hope the government is serious. As I said earlier, we need some dollars to go along with it. I think all parties are willing to work together because this is something that has got to happen and someone has to have the political will to do it. I am pleased to have been able to comment on this bill.

The Deputy Speaker: Response?

Mr Tascona: I am very pleased to respond to the comments made by the members for Kingston and the Islands, Trinity-Spadina, Dufferin-Peel-Wellington-Grey and Stormont-Dundas-Charlottenburgh.

I'll comment on the member for Kingston and the Islands. He is a former mayor of Kingston. I'm really surprised that he would endorse NDP policy and the laws of the NDP government. He knows as well as I do—I'm a former councillor—that the Planning Act had to be changed, and the way we do business. Municipalities wanted to deal with their own official plans and zoning bylaws. "Having regard to" means they have to have regard to the provincial policies that are in place and which have been improved on since the NDP government left office and, I should say, the Liberal government.

Obviously the member for Trinity-Spadina was acting tonight on only one faculty and we don't know which one that was. But the bottom line is, when he talks about credibility—come on. The NDP government was a

financial disaster and all they were about was broken promises. That's all they were.

The member for Dufferin-Peel-Wellington-Grey said it all in terms of they took no action—the Liberal government and the NDP government of the day, from 1985 to 1995—with respect to the brownfields. They knowingly and intentionally put our agricultural areas and our greenfield areas at risk.

I think the member for Stormont-Dundas-Charlottenburgh basically has got it wrong. The ministries have been streamlined for efficiencies to better serve the public. The Ministry of the Environment's efforts have been to focus on protecting our environment. Enforcement efforts have been focused on what should be done to deal with the environment. We have the toughest enforcement laws in North America with respect to the Ministry of the Environment. This bill that we're dealing with is a part of protecting our environment. You just don't get it.

The Deputy Speaker: Further debate?

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Mr Gerretsen: With respect to that last comment, let me say this: we sure do get it and the people of Ontario get it as well. They know that you're all about optics, all about photo opportunities, all about saying the right thing, but you're not following through on it.

There is absolutely nothing in the Smart Growth document that anybody could possibly disagree with. The language is beautiful. It talks about sustaining a strong economy, building strong communities and promoting a healthy environment. Everybody agrees with that. Over the last four to five years, you have done everything in your power to destroy this. Let me just tell you how you have done that.

First of all, you have gutted the Ministry of the Environment. You have cut its budget by some 56%. You are talking about having tough environmental laws on the books; that may or may not be so. There just aren't any officers around any more to effectively enforce the laws that are on the books. That's the problem. Take a look at the number of prosecutions that have taken place under the environmental rules and regulations and laws of this province and you will see a dramatic decrease. The government would have you believe that all of a sudden the polluters stopped polluting. I think that the average Ontarian, the working Ontarian, will say, "If we've got 56% less money being spent in that budget and 50% fewer enforcement officers of our various environmental rules and regulations, there will be fewer charges laid and fewer prosecutions will succeed." That's what's happening.

As I mentioned before, there have been some major changes made to the Planning Act. It's kind of interesting that the same arguments that were used for giving municipalities more power, which is what the member would have you believe by the changes in the Planning Act, are now being used against municipalities in giving yourself more power in dealing with what's in this bill. You can't have it both ways. You are the people who

basically made the fundamental change and choice in the Planning Act by saying that official plans and zoning bylaws no longer had to be consistent with provincial policies and guidelines but could simply be given regard to. Maybe to the average Ontarian that doesn't mean very much, but to the people who are involved in the day-to-day implementation of the planning policies of the province it means an awful lot. The developers know it, that they can pretty well come along with any plan whether or not it adheres to provincial guidelines and policies, which in a lot of cases have become a lot weaker than used to be the case. They can't deny that.

The government knows quite well that a lot of the cutbacks in the various ministries have taken place exactly with the kind of personnel that the various ministries had, whether it was the Ministry of Agriculture, natural resources, municipal affairs, the environment, that were involved land use and long-range planning processes. Those are the people who are gone and that's why those ministries are suffering. Now, the government has the nerve to basically say, "We've got a Smart Growth policy that we'd like to implement in the province of Ontario that's going to promote a healthy environment, build a stronger community and sustain a strong economy," when we all know—when was it?—just a year or two ago we had worse air quality in this province than just about anywhere else in North America when environmental organizations rated Ontario second from the bottom when you take all the provinces and all the states in the United States into consideration from an environmental protection viewpoint.

Yes, there are some good ideas in this bill, I'll grant you that, and, yes, maybe some other government in the past should have implemented that, but that's not the issue. It seems to me that about 90% of the time in this House we seem to be spending on, "Who do we blame? Why didn't you guys do something 15 years ago, or you 10, or you five, or you could have done this." The average person out there, the person who is looking toward the future and the development of this great province, isn't interested in that. People don't want to hear about blame politics; they want to see what you are prepared to enact to actually build better and stronger communities and a healthier environment in this province. Certainly a \$2.2-billion corporate tax cut that has been implemented by this government isn't going to do it, when just an extra little bit of resources into many different areas, from education to health care to the environment, could have made a substantial difference.

The main problem with Bill 56 is that you and I know that in order to implement the worthwhile and laudatory goals of this bill, it can only be done if there are enough resources devoted to it so that what you're talking about in this bill will actually happen, and it's not going to happen.

Even AMO, which has reluctantly given its support to the bill, because I guess they figure that half a loaf is better than none, is saying over and over and over again

in its report that the only way it's going to work is if it's properly resourced.

I took the opportunity earlier today to get off the AMO Web site, which is the Association of Municipalities of Ontario, their policy report, which talks about promoting municipal leadership in brownfields redevelopment. You know, throughout the report, on just about every page, it talks about the fact that the only way this is going to work, once we have a framework established whereby the brownfields in our municipalities can actually be dealt with, is if the province puts resources into it. As we know, developers or owners of properties may very well walk away from it if they're going to realize that in order to redevelop that property and get the environmental aspects dealt with it's going to cost more than the property is actually worth. Municipalities won't have the financial wherewithal to deal with that either. So the only way it's going to work is if you put some resources into it.

AMO says, for example, on page 4 of their report, and I quote directly from the report that they did:

"More provincial resources should be committed to identify and prosecute parties that are directly responsible for site contamination. While securing such prosecutions is a lengthy and uncertain process, it would benefit from improved provincial enforcement of rules respecting soil or other on-site contamination."

That's what AMO is saying. It's the same thing with the actual redevelopment of the properties.

They also point out, "Municipal exposure to environmental liability poses one of the most formidable barriers to brownfields redevelopment."

I invite the members of this assembly and other people who are interested to go to the AMO Web site and get a copy of the report and see what the municipal voice of this province is really saying as to what should happen and not the feel-good terminology that's used in Bill 56 and not lived up to by the kind of resources that are required in order to make it happen.

I know that things can happen, no matter who is in power. We have a building in Kingston, the OHIP building, which was built back in the early 1980s. I'm sure some of the members who were here at that time remember it well. I certainly remember it well because I happened to be mayor of the city at the time. It was an absolutely welcome addition to our downtown and it started a redevelopment mode in a particular area. But do you know what we have found lately? The building may have been built on contaminated property. There have been all sorts of problems with the employees who work there in certain parts of the building. The incidence of cancer is much higher. There have been studies done by both management and labour, and together, not to everyone's satisfaction, mind you, which clearly indicate that there's something wrong there.

It would be very easy for me to blame the government back some 20 years ago, the Bill Davis government, and say it was their fault. I suppose in those days they did what they knew or what they thought was the best way in dealing with that situation. But the point still is that on a

daily basis people are at certain kinds of risk. I think it is incumbent upon the government to protect its employees who work in a building like that, and there are over 750 people who work there, that they take whatever measure necessary to absolutely ensure that the people who work for all of us are in the safest and healthiest work environment. I'll tell you, there's some grave concern about that by many of the people who work there and by the local OPSEU unit. At times they get co-operation from management and at times they don't. In the meantime, the statistics are startling when you look at the number of people who have been adversely affected by that. Obviously, what you hope legislation like this will do is that those kinds of situations that may have developed in the Kingston area, in the OHIP building some 20 years ago, will not happen elsewhere in the province. That's why you want to make sure the soils that are being built upon in this province, on sites that at one time may have been contaminated, are as clean as possible. But in order to do that, you need the resources to do it with.

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There's another interesting situation in Kingston as well, and that is that we need a new pipe to our sewage treatment plant, a pipe that goes under the Cataraqui River system to a plant that is now in the city of Kingston—it used to be in the township of Pittsburgh prior to the amalgamation—some five or six miles from what was then the city proper. That pipe was built, I would say, probably about 60 or 70 years ago, and there are some concerns about it. The pipe has to be replaced because it goes to the main sewage treatment facility in our community, and that's a major cost to the municipality.

It made an OSTAR application some time ago. I've forgotten exactly the costs that are involved, but I believe the total cost of the project may be somewhere around \$20 million. I could be wrong on the amount but I'm certainly not understating it. It may be more than that—some \$20 million. In order to get it going, they made an OSTAR application. So far they haven't heard. I just implore the Minister of Finance, the Minister of Municipal Affairs and the Minister of Agriculture to take a close look at that and to approve that project. I think it's an extremely worthwhile project.

The point I'm trying to make is this: when you look at the amount of money that has actually been allocated to the OSTAR program this year, we're talking about \$50 million, whereas last year some \$240 million out of \$600 million was allocated. So whatever has happened, the amount of money that's available for these kinds of projects has been substantially reduced this year. There may be an explanation for it. It may very well be that all of last year's money that was set aside in the budget wasn't totally allocated and therefore some of it can be allocated this year, together with the new \$50 million that you have there. But the point is this: last year you allocated some \$600 million toward the OSTAR program and this year it's closer to \$50 million, which obviously

is an awful lot less. If there's an explanation for that, I'm waiting to hear it.

Mr Maves: They spent \$600 million last year.

Mr Gerretsen: He says they spent \$600 million last year. That remains to be seen. But what we absolutely have to realize is that local municipalities simply do not have the financial resources that are required to get involved in a lot of these major projects when we're dealing with the environmental issues. They simply don't have the economic wherewithal.

I, for example, have been saying for years—and I know there are some people perhaps within my own caucus who don't agree with that—that I think the only way we're ever going to deal with the waste management issue is for the province to take the lead and get anywhere from six to 10 engineered sites around the province that it will run as waste management facilities. After we do everything else with reducing and recycling, there's always going to be some garbage left. The notion that each municipality should basically look after its own garbage I think is simply no longer viable.

At one time not too long ago there were over 50 studies being done across the province where municipalities were looking for landfill sites or methods of dealing with the waste management situation. I know that the only one we ever seem to hear about is the situation here in Toronto, but there are many other municipalities that are involved in similar situations, large and small. The only way to effectively deal with that is for the province to take the lead. All governments in the past, including the Liberal government, the current Conservative government, the past Conservative government and the NDP government, didn't want to touch it with a 10-foot pole: "Oh, no. Waste management is a local responsibility. All we will do on the provincial scene is to be in a watchdog capacity."

What I'm saying is that in the 21st century it's simply no longer a sustainable position to take, and there are situations which have totally changed in the last 30 or 40 years where the province has to step up to bat and say, "Yes, these are not only issues of a local interest, they are issues of a provincial interest, and we are going to take the lead." I know you're going to say, "Where do you want these located?" All I can tell you is that with the tremendous land mass that we have here in Ontario, if we compare that to many smaller land masses in many countries in Europe, they've been able to deal with it. It's being dealt with elsewhere around the globe. Why can't we start dealing with it effectively in this province? But the political will has to be there, and this is not a partisan issue. If we should ever happen to form the government, maybe the same attitude will prevail then. But I maintain that the only way we're ever going to effectively deal with the waste management issues in a modern way is for the province to take the lead. I took this position 15 years ago, that it is no longer simply a municipal problem.

Mr Garfield Dunlop (Simcoe North): The feds could take the lead on something.

Mr Gerretsen: I look forward to what the member had to say since I couldn't make it out.

In the last couple of minutes that I have—and I meant that, you know, my concerns about the waste management situation, in a purely non-partisan way because, as I've said before, I get just as much interesting debate from the members of my own caucus on that issue who don't necessarily agree with me on that.

The main concern I have is quite simply this, and this brings us back to Walkerton and what happened there last year at this time: if anything has shaken the public confidence of the province, it's the unfortunate situation that happened there with the seven people who died. Undoubtedly, at the end of the exercise, blame will be thrown all around to local officials, to provincial officials, and there's probably a little bit to go around for everybody.

When you hear evidence to the effect that in 1996 this government was warned by its own environmental officials within the Ministry of the Environment that what was happening was going to have a major negative impact in places like Walkerton, I say to this government, surely you've learned from that. Surely it isn't enough just to come up with a nice piece of legislation. Surely you realize that the only way you're going to implement it is in making sure the proper resources are there to do it with. Your Bill 56 provides absolutely none of that.

If I've missed it, if there is some financial help here, straighten me out. I haven't found it. It's all nice language, it sets out a beautiful procedure, but I can tell you, from a local municipal perspective and from a developer's perspective, none of it is ever going to happen unless the province is actually committed to seeing these sites cleaned up by putting some resources into these projects. That's what is needed, and only then will this bill be a real success.

The Deputy Speaker: Questions or comments?

Mr David Christopherson (Hamilton West): I want to compliment and underscore the comments of the member from Kingston and the Islands. He talks about the need to have resources behind Bill 56 and he uses his experience as the former mayor of Kingston to assist him in formulating that position. As a former councillor and alderman in the city of Hamilton I feel exactly the same way. Is this a good thing? Yes, it's better than nothing. I don't think anybody would argue with that. But without money, given the pressures that are now on all municipal governments, given the downloading, the lack of resources, the funding cuts—

Interjection.

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Mr Christopherson: I hear one of the members across the way rolling his eyes and everything. I don't know what world you live in, but if you want to come to Hamilton or, I suspect, to Kingston and talk about the damage your government has done and about the inability of municipalities to meet their core services today, never mind somehow finding the money to pump into Bill 56, you're welcome to come in. The reality is that we

will tell you that this is a positive step in the right direction—no question. But without funding, it doesn't go anywhere. The municipalities do not have the financial resources to give the effect that a lot of you are talking about. It's great words, but it's not reality.

At some point, the government is going to have to put money into municipal government and money back into the Ministry of the Environment; otherwise, all of this is smoke and mirrors and the health of the public is still at risk.

Hon Tony Clement (Minister of Health and Long-Term Care): Please allow me an opportunity to participate in this debate and reply to the honourable member's comments. As a former Minister of the Environment and a former Minister of Municipal Affairs and Housing—I seem to have a lot of “formers” in my name; we can comment on that later on, I suppose—I do want to say that this is an important piece of legislation. I had a little bit of a part in it in my previous portfolios.

The honourable member was concerned, in particular, about the resources available. It is in fact an enabling piece of legislation. It enables the municipalities to create different tax structures around parts of urban areas that can be the source of a renaissance of these urban areas that have been blighted by the former industrial activity that took place there. So there is enabling there when it comes to resources.

Part I of the act deals with the education tax part of that as well, so I think that is something the government of Ontario is allowing, because we as a government are the ones who dictate the policy when it comes to education tax, to protect the taxpayers, but in this case we think there is a way for the education tax to be part of the solution. I think it would be unfair to say that there is no provincial recognition or provincial dedication of resources in this area.

The other part of it, of course, is that when you're dealing with brownfields, you're dealing with areas of the province that already have the transportation infrastructure, already have the road infrastructure, already have the pipes, already have a lot of the investment that was, quite frankly, provincial as well as municipal, that is available so we don't have to build that all out with urban sprawl. We don't have to create it again on greenfields. We can take advantage of it in our urban areas for the betterment of society.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): I want to commend the member for Kingston and the Islands. He spoke as a former mayor, he spoke as a former president of AMO, and he has the experience and the background. At the present time, what we see in this bill is another downloading to the municipalities.

Being a former mayor, when I look at it, where will the municipality be taking the money to hire the people to look after this bill, to look after the landfill site? At the present time, anyone who has sat on a council previously would definitely know that some additional expenses are going to be incurred by the municipality. As we know right now, with all this downloading that we have

experienced, we have potholes in potholes on the streets of our own municipalities.

When I look at part VII, I wonder what any municipality that takes this bill and reads it is going to do. Part VII is very clear: it will amend the Planning Act. "The amendments provide that municipalities may make grants or loans to tenants, as well as property owners...." At the present time, they are downloading the responsibility to the municipality, and in this way they are not liable to be sued in court. If you had sat on municipal council, you would know immediately—

Mr Dunlop: I sat for 20 years. I know about downloading.

Mr Lalonde: I wish you would have known a lot more about the Planning Act and also what effect a landfill site would have on the municipality.

But I would call this a crucial bill for all the municipalities and for the environmental people. I'm sure that if the environmental groups were to put a hand on this, immediately you would be getting a lot of calls, because this is unacceptable.

Interjection.

The Deputy Speaker: The member for Simcoe North should know that if he continues, he will be gone.

The member for Niagara Falls.

Mr Maves: It's a pleasure to rise and speak to the comments by the member for Kingston and the Islands. The member did speak as a former mayor and a former president of AMO, but first and foremost he spoke as a typical Liberal.

Interjection: "Spend more money."

Mr Maves: Exactly. My colleagues know exactly what I'm referring to. The member opposite questioned why some capital funding for an OSTAR program wasn't the same \$600 million that it was last year. Part of the answer to that is, it was \$600 million last year. It begs the question, is the Liberal policy—this government put \$1 billion into capital projects last year for colleges and universities to create 73,000 new spaces. Does that mean, under Liberal economics, that every year now we have to spend \$1 billion on capital projects for colleges and universities? That's silliness, but that's typical Liberal silliness.

The member went on to say that the province needs to take over garbage disposal in Ontario. That's very interesting. I didn't know that was Liberal Party policy. It's interesting to hear that. The province now needs to take over funding all of the transit in Ontario, an interesting cost upload for the province. The province needs to do whatever is necessary for some folks in Kingston, who I appreciate are having a health problem in a building, to look after the safety of those people. What are the parameters of "whatever is necessary"? What are the details? We're not sure. We should just throw whatever we can at that. The province needs to take over water and sewer works, seemed to be the message from the member opposite. The province needs to fund all the brownfield site cleanups across Ontario.

Spend, spend, spend. Money, money, money thrown at everything. It's a typical Liberal solution to every problem: just reach into the pockets of the people of this province, rip it out of their pockets, and take everything over at the provincial level.

The Deputy Speaker: The member for Kingston and the Islands.

Mr Gerretsen: Let me just say to the last member that when the government employs employees in its workplace, those workers have a right to work in a safe environment, whatever it costs, yes. To make sure those 750 people have a safe working environment, we should implement it. If it means taking them out of the building and putting them somewhere else in order to give them that safe environment, we should do that.

It was interesting to hear the member for Simcoe North. At least there is one government member who now acknowledges the fact that there has been downloading to local municipalities, because he quite openly used that word. The government always talks about, "It wasn't downloading. It was an equal transfer." At least we now have a member of the government—and I hope Hansard got that—who admitted there was downloading, because he said he sat on municipal council for 20 years, and he knows all about downloading, he said with a smirk. So at least there is one government member, having sat on municipal council in the last five years, who acknowledges the fact that there has been a lot of downloading.

To the Minister of Health I say, yes, you are correct. The government will put in the money, whatever is required, in order to—once a municipality gives tax assistance to a developer of brownfields etc, then the government has to agree to that so that its portion of the education taxes can be used as well. I'll grant you that, and that's a good, positive step, but it isn't enough, and you and I know that it isn't enough. If you for a moment think the tax incentives alone are going to be sufficient financial incentives for developers to clean up those properties, you're totally and absolutely wrong. It isn't enough, Minister.

The Deputy Speaker: Further debate?

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Mr Norm Miller (Parry Sound-Muskoka): It's my pleasure today to rise in the House to speak to such an important piece of legislation that will encourage the revitalization of abandoned or contaminated lands known as brownfields.

I'd also like to thank the Minister of Municipal Affairs and Housing, Minister Hodgson, for putting forth this bill. As a leader in the Smart Growth initiative for our government, I have to commend Minister Hodgson for his effort in promoting and managing growth in ways that sustain a strong economy, build strong communities and promote a healthy environment in Ontario.

I can certainly tell you that in my hometown riding of Parry Sound-Muskoka there are areas that can be classified as brownfields. In fact, I think I'm safe in saying that most communities across Ontario contain such areas.

These areas can be particularly problematic from time to time, given the contamination and abandonment. The lack of liability also poses a problem, with no person wanting to assume such a task.

It is a shame that these sites have become such under-used economic losses and liabilities to our communities. The brownfields strategy will provide a practical and environmentally sound approach to brownfields redevelopment that will help us build cleaner, healthier communities. This will also permit landowners and municipalities to make the right decisions in order to make better use of these currently underserved lands in our communities.

As most of our members know, brownfields are sites on which industrial or commercial activity took place in the past but are currently abandoned or underused. These properties may or may not be contaminated. They are often located in prime locations where infrastructure and other urban services already exist. Almost all Ontario communities have brownfield sites such as decommissioned petrochemical plant locations, dry cleaning stores, gas stations, railway yards and factories. These sites are found in well-served areas, often near the downtown core or near the waterfront, as is the case in Parry Sound. Because of the characteristics of brownfields, these are prime locations for redevelopment.

In cleaning up these contaminated and unused lands, it would benefit local communities greatly as well as benefiting generations to come. In redeveloping these industrial and commercial sites, communities will be able to improve their quality of life and protect the environment, to attract new business, new development and create jobs.

Last September, our government announced the appointment of an advisory panel to provide expert advice on the environmental cleanup and rejuvenation of old industrial and commercial sites known as brownfields. The advisory panel emphasized the government's commitment to building cleaner, more prosperous communities for future generations. The result of this consultation process is the Brownfields Statute Law Amendment Act. If this law is passed, it would enable smarter patterns of growth by encouraging the cleanup and revitalization of abandoned or contaminated lands.

What is interesting is that the Harris government was the first to introduce a process and set of environmental standards for site cleanup in Ontario. The proposed brownfields legislation and regulations would give those standards the force of law and set out a process for cleaning up brownfields.

As most people are probably aware, one of the largest barriers for the redevelopment of brownfields is the enormous concern for environmental liability. I can understand the apprehension and lack of interest shown in these areas, given the problems these lands may represent for the future. In a lot of cases, people are reluctant to invest time and money into brownfields, despite the tremendous personal benefits from redeveloping one of these sites. This is due to their concerns over potential

liability for future environmental problems and the financial implications of this liability.

The proposed legislation sets out clear rules for limiting future environmental liability complemented by checks and balances to ensure that environmental standards are met and that the people of Ontario are protected. The proposed changes do not alter the Ministry of the Environment's powers to issue orders to address environmental emergencies or to take strong action against polluters. The ministry will continue to audit site cleanups and there will be clear, concise, articulate rules put in place to govern cleanups.

It is also important to note this proposed brownfields legislation would remove the key obstacles to cleaning up and recycling brownfields. It would require a mandatory environmental site assessment and, if required, cleanup to prescribed standards where there is a land use change from industrial-commercial to residential-parkland or to other land use changes prescribed by regulations.

The legislation would also provide clear rules for site assessment, cleanup and standards for contaminants based on proposed land use. It would also require the acceptance of a site-specific risk assessment by the Ministry of the Environment and allow for conditions to be placed on the use of the property.

The brownfields legislation would establish clear rules for environmental liability. It would provide liability protection from future environmental orders from municipalities if taking action for the purpose of a tax sale or action related to other municipal responsibilities. It would provide liability protection from future environmental orders for secured creditors, while protecting interest in a property. It would provide liability protection for a fiduciary in their own personal capacity. It would provide protection from environmental orders for any person conducting an environmental investigation while acquiring interest in a property. It would also provide liability protection from future environmental orders for owners who follow the prescribed site assessment and cleanup process. This includes filing a record of a site condition to that site registry and using a certified site cleanup professional.

This legislation would maintain the ministry's power to issue an environmental order in response to an environmental emergency. It introduces a number of quality assurance measurements, which include sign-off by certified professionals, mandatory reporting to a site registry and an auditing process to ensure compliance with the legislation and regulations. I can safely say that I feel confident that this legislation goes a long way in establishing clear and strict rules for environmental liability and the essential cleanup of brownfield sites.

The cleanup and redevelopment of brownfield sites can offer significant environmental, economic, social and fiscal benefits. Environmentally, the cleanup of brownfield sites will improve our soil and water quality and protect human health. Redeveloping brownfields allows communities to make more efficient use of existing

infrastructure before expanding on farmland or greenfield sites.

Economically, developing brownfields is very cost-effective. These sites can often cost little to acquire, and compared to greenfields their servicing costs are very low. In our local neighbourhoods, brownfields encourage community building and revitalization of our underused areas. As I said before, they are often located on potentially attractive waterfronts or near downtown locations, as is the case in Parry Sound. Communities are able to come together in the redevelopment of these sites in order to benefit as a whole.

Fiscally, brownfield sites that are left vacant or are perhaps contaminated generally have low assessment and therefore low taxes. The taxes may even be in arrears, which means lost revenue for municipalities and other stakeholders.

So the brownfield legislation will be a key part of our Smart Growth strategy. It links economic growth to using existing infrastructure in a way that makes sure we have a healthy environment and a good quality of life. It is apparent that cleaning up and reusing brownfields benefits our environment, our economy and our communities. My riding of Parry Sound-Muskoka contains a few brownfield sites. I believe the redevelopment of these brownfields is crucial to our community's future and the growth that would come with these opportunities.

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In speaking with the members of the business community of Parry Sound, they expressed their support for this bill, and I am sure many other communities across the province would agree. A councillor in Bracebridge I was talking with expressed a keen interest in this legislation and could see that it would be useful in the Bracebridge area. This bill would definitely go a long way in helping mayors and reeves in my riding redevelop the brownfields in our communities.

The proposed legislation would amend community improvement provisions in the Planning Act to expedite brownfields projects. The community improvement provisions of the Planning Act allow municipalities greater flexibility to provide for a broad range of community improvement activities, including brownfield remediation and redevelopment. If a municipality has community improvement policies and designated areas for community improvement in its official plan, it may issue grants or loans to encourage rehabilitation of lands and buildings in the community improvement area, including the remediation and redevelopment of brownfield properties.

It is a reality, unfortunately, that brownfields projects usually don't get off the ground because of the high costs of cleaning up the sites. The proposed legislation would encourage owners of brownfield sites to undertake site cleanup by providing them with property tax relief to assist in remediating their brownfield properties.

The rewards of cleaning up and revitalizing brownfields sites are tremendously rewarding, for the municipality, for the developer and for the community as a whole. First of all, it is good for the environment. For our

municipalities, it means increased property tax revenue. For the developer, it means economic opportunity. Most importantly, it means jobs for our communities.

The redevelopment of these brownfields can lead to new housing for our communities. It will help us meet the needs of our growing economy while protecting our natural and heritage landscapes. Also, it may even lead to a neighbourhood eyesore being replaced by a much needed and much more attractive development.

We now have the opportunity to make sure that municipalities, developers and communities have the tools to enable brownfield redevelopment to become a reality. It also enables the municipalities to reach out to the development community, in my case Parry Sound-Muskoka, and essentially help it prosper. By making brownfield redevelopment easier, the proposed legislation will enable communities to improve their quality of life, be more competitive and attract new businesses and jobs.

It has been my distinct pleasure to speak to Bill 56 today. I know there are others who would like to speak on the brownfields legislation, so I thank you and look forward to the passing of this bill.

The Deputy Speaker: Questions and comments?

Mr Christopherson: I thought someone from the official opposition might want to jump in, but I guess not.

First of all, I want to commend the member on his presentation. He's fairly new to this place and it can be a bit daunting at first, so I congratulate him on getting through the whole thing and getting his point across.

But I want to again raise the issue of money, something you worship. Listen, Bill 56 says in the explanatory note to part III, "Municipal Act Amendments: Part III of the bill amends the Municipal Act. The amendments allow municipalities to pass by-laws providing for municipal tax assistance to assist with the environmental rehabilitation of properties that do not meet the standards prescribed for filing a record...."

Also, in part VII, "Planning Act Amendments: The amendments provide that municipalities may make grants"—municipalities—"or loans to tenants, as well as property owners, for the purpose of carrying out community improvement plans."

Fine. You talk partnerships. Where's your money? You're taking all the credit, standing up like you're personally out there cleaning up our brownfields. You talk about partnership, you talk about working with municipalities, you dump on all kinds of responsibilities and then don't give them enough money to do it. Then you provide enabling legislation that lets the municipalities spend money they don't have.

When this government talks partnership they better realize what they mean is somebody else pays the bill. Let me say to the government, real partnership, if you want to help municipalities, means you pony up your share.

The Deputy Speaker: Questions and comments? The member for Wellington-Grey-Dufferin-Peel.

Mr Tilson: Mr Speaker, Dufferin-Peel-Wellington-Grey, but I appreciate your attempt.

The member for Parry Sound-Muskoka has stood up again and given an outstanding speech on this topic and has related the issues to his riding. He has responded to much of the criticism that has been raised from the opposition—the last speaker, our friend from Hamilton, has talked about it—the allegation of lack of money, lack of staff.

I think you've got to remember that when this government was first elected in 1995 we said that there was too much staff in the civil service. I don't know what the numbers were. I'm sure my friend—

Mr Christopherson: Like the Ministry of the Environment?

Mr Tilson: All these problems that exist with polluted lands existed with those of thousands and thousands of civil servants you had, whom you and the Liberals hired.

Mr Parsons: Walkerton.

Mr Christopherson: Walkerton didn't happen on our watch.

Mr Tilson: Walkerton existed with all the staff that you hired. It didn't solve the problems. I think the good thing about this particular piece of legislation is it is dealing with that issue without the requirement of the vast amount of staff that the opposition want to hire.

That's all they want to do, is to hire staff. That's the solution. That's the solution to the environmental problems in this province, according to our friends in the New Democratic Party and the Liberal Party: hire staff. That isn't what this legislation is doing.

This legislation is going to make it more certain to enable people to acquire lands, to develop lands and to deal with pollutants. That's what brownfield is all about.

Mr Christopherson: Put your money where your mouth is.

Mrs Lyn McLeod (Thunder Bay-Atikokan): I'd say to the member for Dufferin-Peel-Wellington-Grey that what the members of the opposition want from this government is to put something more than nice-sounding words into a piece of legislation.

We would like to be able to support something which actually looks at taking brownfield sites and seeing them reclaimed and used productively, but we don't believe that there should be one more downloading on municipalities that have been dumped on by this government time and time again.

The member for Hamilton West has said this government loves to talk about partnerships, but the partner that has all the accountability, all the responsibility and all the financial liability has been the municipality in every partnership which this government has undertaken.

I think of two issues, and I've been here long enough to remember only too well the original David Crombie Who Does What panel report and the kind of recommendations which he made about a fair distribution of responsibility and financial responsibility for providing the services that are needed. I remember how this government simply walked away from that report. What they

wanted to have as revenue neutral was in fact financial downloading on to municipalities.

We're still dealing with the legacy of this government's failure to respond to the spirit and intent of what David Crombie was recommending then, because they were so anxious to actually dump financial cost on to municipalities in order to pay for their cut of the day. Fortunately they moved away from the long-term-care download on to municipalities, but we're still trying to figure out the ambulance situation.

I've asked time and time again—and I see the Minister of Health is in the House, he may have to answer it—when is this government ever going to come up with a reasonable template for cost-sharing of ambulance services? When are we going to know what 50% of the province's share is actually a share of? How are we going to know whether this government is carrying its fair share when they won't even put forward a template for standards for ambulance services?

In the meantime the municipalities are bearing all the responsibility and financial liability.

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Hon Chris Hodgson (Minister of Municipal Affairs and Housing): I just wanted to congratulate the member for Parry Sound-Muskoka on a fine presentation. I wanted to acknowledge that the residents of his area are well served with his insight on this particular bill that will help towns such as Parry Sound, Bracebridge and Huntsville and other small communities throughout his riding, which is a large geographical mass.

In regard to the comments from the third party representative from Hamilton West, he talked about the partnership—

Mr Christopherson: On a point of order, Mr Speaker—

Hon Mr Hodgson: Quorum?

Mr Christopherson: No, not quorum. I think the minister has been here long enough to know that the purpose of questions and comments is to comment on the original speech, not the comments from members who are commenting on those speeches.

The Deputy Speaker: Thank you. The Minister of Municipal Affairs.

Hon Mr Hodgson: As I was mentioning, the member for Parry Sound-Muskoka referenced that the municipalities and the province are in a partnership on this proposed legislation. It was alluded that it wasn't a partnership. The partnership is that if the municipality wants to use a community improvement opportunity around brownfields, they would give a tax incremental financing option to the developer or the tenant and we would match that through the education side. That is a true partnership. It will allow municipalities the flexibility they've asked for. I don't want to oversell that, because in the United States property tax can approach zero. In Canada, and particularly Ontario, it doesn't. But when it is brought back into use there's an increased revenue stream that benefits the municipality in the whole assessment base

for the municipality. That's why we are allowing this option to be there to add an additional incentive.

In terms of the real benefit, it is around the clarification of liability and allowing the private sector and municipalities certainly around the cleanup rules and procedures to put these sites back into active production.

The Deputy Speaker: Response, the member for Parry Sound-Muskoka.

Mr Miller: I'd like to thank the members who commented. To the member for Hamilton West, thanks for the praise. To the members for Thunder Bay-Atikokan, Dufferin-Peel-Wellington-Grey and Haliburton-Victoria-Brock, thank you for your comments.

I think the brownfields program, Bill 56, is a very creative solution to the problem of brownfields. It is innovative, using tax release, using grants and loans available from the municipality to recover the cost of upgrading and recovering the brownfields land. This is a very practical program. It is very important for the people of Parry Sound-Muskoka, particularly on the Parry Sound waterfront where there are brownfields located. It is exciting legislation for many of the communities across Ontario.

It is creative in the financial aspect of it as well. Of course, the NDP solution to this problem, as pointed out by the member for Hamilton West, is to throw lots of money at the problem. That's their answer for most problems that we have. We have the reality of trying to deal with the real world. This is a creative solution to try to bring about some real cleanup of brownfields. The Liberal suggestion is also to throw money at the problem, but not quite as much as the NDP. Their solutions are generally the same thing: throw money at the problem.

This legislation provides the tools to stimulate the redevelopment of brownfields. As the member for Brampton West-Mississauga stated, it is enabling legislation. It enables us to find a solution to the problem. Finally, the government is doing something to clean up these contaminated lands.

The Deputy Speaker: Further debate.

Mr Parsons: I'm pleased to speak to Bill 56. It is a bill that has so much potential and yet falls so short. Actually, it is a little bit different in that it doesn't have a cute title, but I assume somebody was a little asleep at the switch. The title purports to be doing something that needs to be done.

This government talks about money on almost every issue. When we ask about home care programs the answer always comes in terms of dollars—not in terms of citizens served, not in terms of programs, but in terms of dollars. When we talk about education the answer is dollars. There's so much to be done here. Let's talk, first of all, about dollars, just as this government likes to. The critical issue is: where will the money come to clean up the brownfields? Obviously, they like to look to the private sector. There is nothing wrong with that. In fact I support and encourage that. But if we look at the track record of this government working with private industry, we can look at the SuperBuild fund that's announced and

reannounced. If you look at SuperBuild, it calls for partnerships with private industry. But when you look at the SuperBuild money that has been announced and is being spent—the partnerships are with municipalities, universities and colleges—they are in fact spending other public money along with it. There aren't private partnerships taking place to any great extent in the SuperBuild fund, so to expect that we will see private industry come forward on this is rather doubtful.

Municipalities are struggling in rural Ontario. We have a cookie-cutter approach by this government, "If it works in this municipality, it will work everywhere in Ontario." We are a huge province and truly unique in each and every area. Some of our municipalities are struggling, and I'll talk about one specifically in a few minutes. But the province is doing the same as it did with ambulances. With ambulance service they've raised the standards but passed all the costs down to the municipalities for these increased standards. We're seeing increased standards for these brownfields that are going to be ducked by this provincial government in terms of financial responsibility.

This is a wonderful initiative to deal with—brownfields—but I would suggest there are far bigger issues to be dealt with. The bill says, "An Act to encourage the revitalization of contaminated land." I would like to see a bill that says, "an act to encourage the cleanup, the remediation of contaminated land."

I live in a rural area. My water comes out of a well in the ground. I accept that that water in my well may have come a mile or two or it may have come 500 miles to reach it. Much of rural Ontario is on wells. I'm taking a guess that we have all through Ontario hundreds of closed dump sites that continue to leak their waste products down into the ground. I see the need for this government to address the cleanup of them to give us clean drinking water. Instead, I hear that one of the problems facing Ontario was that it had too many environmental people; I've also heard we have too many nurses, that that's the problem with health care; that the problem with our schools is that we have too many teachers. Anything that costs money and delivers a service is viewed as an enemy, when in fact the key is that it provides a service to us.

This government is viewing this as a keystone in their platform of Smart Growth. But if we look at their past performance on Smart Growth, this government has worked toward dumps; this government has worked toward getting rid of support for mass transit that created the congestion and the gridlock on our highways. This government has not practised smart growth; it has only used that catchphrase because it makes an excellent backdrop.

I think each of us in this Legislature needs to sit and think about, "How will Bill 56 impact in my riding?" In my riding I have a delightful little town called Deseronto, located on the Bay of Quinte. It's extremely scenic with great fishing. I would encourage each and every one of you to visit and spend some time. It is a delightful spot.

But it started essentially as a one-industry town. It was a very major lumber town 100 years ago. Now they are in a situation where they have virtually no industry but they do have a closed site that they are having to assume the cost of themselves, the cost of somewhere between \$150,000 and \$300,000 being absorbed by the local taxpayers, with no provincial government support. That being added on the tax bill does not help Deseronto in any way to attract industry. For many of the members in the House, particularly those from the 905 area, I would suggest you have trouble relating to a municipality that has no significant industrial base. Deseronto has some, but a very small percentage compared to much of Ontario.

Deseronto is also foisted on—and I think that's the right term—with police costs that are totally out of line for the number of residents in that town. In Deseronto, each home pays approximately \$600 toward policing costs for each \$100,000 assessment on a house. This government, with great fanfare, capped policing costs at \$90 per household where OPP services had been assumed by the municipal services. In the case of Deseronto, the municipal services were taken over and assumed by the OPP, so we're seeing massive cleanup costs coupled with massive policing costs. Surely this government supports safe streets and safe towns.

2120

Taxpayers there are not in a position to fund the cleanup that this bill would allow, so the bill becomes meaningless when the right is there for a town to do it but they don't have the financial means. And whether that brownfield is in the municipality I live in or in the next municipality, I know it affects the groundwater, and the groundwater could show up potentially anywhere. So there is an obligation and in fact a need on the part of this government to assume responsibility for cleaning up these sites. When a municipality that is not able to afford it doesn't do it, the effect of that contaminated ground is to make life very difficult or even potentially unsafe in another municipality.

I'm certainly not inferring that Deseronto's situation is making the groundwater unsafe, but I would suggest we need to have one standard of cleanliness everywhere across the province for our groundwater. Unless the province assumes some financial liability for it, that does not happen.

In the proposal put forward, there is the option for municipalities to give an exemption to firms, as far as taxes go, if they're prepared to purchase and remediate a property. But in many cases these brownfield sites were very extensive properties—maybe a manufacturing plant—and the firm that wants to locate on that may not need all of that property. They may not even want to assume the responsibility for all of that property. They may want only a portion of it this time and control and development of it in future years. This bill doesn't provide for them to be able to remediate a part. It doesn't allow for the unique situations but, again, deals with a very simplistic approach to everything.

If we want to know what this government's responsibility is and how it will administer this, we need to look at the past to learn for the future. Governments tend to move in straight lines, so if you want to know where they're going, you need to simply look where they've been. The way they have treated the environment in the past—50% funding cuts in the Ministry of the Environment, and they have been on the attack against all the services these local municipalities have—this government has not been a friend of the environment. Indeed, when New York state and Michigan state complain about the pollution coming from Ontario, we know we've probably reached rock-bottom, because it isn't that many years ago when we were complaining about the states putting pollution into us.

I think this government has absolutely hit rock-bottom. It is a government that is thriving on smoke and mirrors, and simply passing this bill will give the impression that they have addressed the environmental problems that exist along our rivers and along our streams, when in fact it is doomed to fail because there is no mechanism provided to make this act actually happen. It looks good on paper, but there is no funding that would exist to enable these fields to actually be cleaned up.

Environmental groups have supported the bill, certainly, because they have believed that it would happen. But they need to take a close look at the reaction of municipalities and the tax increases they are now having to impose, saying, "Where will the extra money come from to make the bill happen?" It is perhaps somewhat misleading to environmental groups to think that the problem has now been resolved. We need to have the provincial government act like a government: take control and ensure that all across Ontario our brownfields are going to be restored to useful, taxpaying, safe use.

The Deputy Speaker: Questions and comments?

Mr Tilson: I sense that the member is going to support the legislation, but it remains to be seen. He did offer some criticism.

The fact of the matter is that this legislation does provide certainty. In the past there was no certainty as to how one was going to develop contaminated lands, and the lands ended up just sitting there with problems with soil and problems with water. No one was prepared to take on the cleanup, because of the uncertainty that existed.

I say to the member, what this legislation and the regulations are going to do is to allow the cleanups of brownfields, because that simply doesn't exist with certainty. Now individuals and companies and municipalities will be able to proceed with these cleanups with it being quite clear as to what the regulations are for the improvement of these lands, which will indeed improve the soil, will improve human health, will improve water quality—that, tied in with the fact that there will be economic development on these lands because of the certainty that exists.

The member has been critical of the legislation, but I think if he studied it he would realize that the legislation

removes the obstacles to the cleanup of brownfields and the recycling of those areas. This has not existed before. So it makes it easier to take advantage of the brownfield opportunities. This legislation will certainly make the use of existing infrastructure more efficient and preserve our parks and our farmlands.

Mrs McLeod: I'm very pleased to comment on the contribution of my colleague to this debate. I do want to note that he began by mentioning the SuperBuild fund, picking up on the theme of partnerships and recognizing the fact that under the SuperBuild fund there has been a flurry of announcements about the value of the SuperBuild fund, but in fact virtually no private-public partnerships to result in any building. It leads to his natural concern that in this brownfield legislation we are going to again have a series of announcements and good-sounding intentions but no actual cleanup of brownfield sites, or, if in fact there is to be any cleanup, it will remain a municipal responsibility.

I can't help but add that not only are there no public-private partnership agreements under the SuperBuild fund; there's virtually nothing happening under the SuperBuild fund other than the thousands and thousands and thousands of pages of paper that various small community organizations have been encouraged to fill in, because they've all been given tentative approval of their projects and been told to submit detailed plans. The government now has these thousands and thousands and thousands of pages of proposals with the good intent of community organizations working their hearts out, and they have absolutely no process with which to begin to decide who's going to get the funding. But that may be considered to be a topic for another day.

I think this legislation is part and parcel of what we see from this government: a whole flurry of announcements and reannouncements, and nothing ever gets out the door.

I do need to correct my colleague on one thing he said. I hope you'll forgive me. My colleague mentioned the fact that one of the downloaded areas was ambulance services, and I think he said the government increased standards for ambulances but the municipalities had picked up the cost. I think it's important to recognize that the government has not increased standards. They are paying 50% of the cost of the standard that was in place when the municipalities assumed ambulance services. Any municipality that is providing a higher standard of ambulance service now is doing it at 100% municipal cost, because this government has not been able to come up to the bar with a new standard for ambulance services.

Mr Christopherson: I want to commend the member from Prince Edward-Hastings on his remarks, and in particular on bringing to our attention the fact that this is not just a large urban area issue, but that there are problems in many of the rural areas. Again, he emphasized the fact that there isn't any more money from the government.

I just want to say, in support of what the member has said, that in Hamilton, for instance, probably the best

example of contaminated land is Plastimet. At the end of the day, it finally is getting cleaned up, but not before we went through a whole lot of hoops and had to put enormous political pressure on the government in order to get that funding. It still cost the city of Hamilton and the former regional municipality of Hamilton-Wentworth a ton of their own money. We still haven't had, by the way, a public inquiry to determine exactly why that happened and to ensure that it doesn't happen to anybody else's community.

All throughout the north end, particularly in wards 2 and 3 in Hamilton—and I want to commend Councillor Andrea Horwath in ward 2, who has taken a lead in pushing for this government and the federal government to join in real partnership with municipalities to deal with the issue of brownfields. It needs to be said that this bill still provides—I understand that when we're forfeiting revenue that's not happening anyway because the land's not being used, we're talking about money they don't really have. But make no mistake: part VII talks about the fact that municipalities may make grants or loans. Don't think for a moment there isn't going to be enormous pressure on municipal councils, particularly in communities like the city of Hamilton, to put that money on the line. You're not going to be there, and it means the city will have to take money away from what? Public health? Public transit? Which one of those do you want to see gutted?

The Deputy Speaker: Response?

Mr Parsons: I express my thanks to the members for Dufferin-Peel, Thunder Bay-Atikokan and Hamilton West for their comments. I didn't mean to tease you, to the member for Dufferin-Peel. I will not support a bill that only has potential. The bill has to deliver before I can support it. This bill doesn't deliver anywhere near as much as it purports to.

Interestingly, this bill will help to remediate land that has profit potential. It does nothing to remediate land that someone cannot make a dollar on. That's consistent with this government. We should expect that. But there is lots and lots of property in Ontario that could be labelled as brownfield that doesn't have immediate economic benefit to someone to develop. There may not be a need for land at that time; it may not be in the right location for the growth at that time. So it's going to be passed by, and whatever is in there—an old coal oil plant or a former gas station—is going to continue to leak down into the ground until someone can make a buck by cleaning that site up.

I don't think that should be the intent of our legislation. The intent should be to clean up the land. We have knowingly or unwillingly put all kinds of things into our ground over the past 100 years. It is time that we started to remove it, and it is time that we not look just at the profit.

Environment and health: there would be some merit in actually having them as one ministry. I suggest they are so closely interwoven that the one has a profound effect on the other. But nowhere do people who are ill have a

cash register in their heart; nowhere are people who are suffering from the pollution interested in the dollars. Our citizens expect this province to be safe and our ground-water to be safe, and this bill simply doesn't achieve that.

The Deputy Speaker: Thank you. It being past 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 2133.

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**Legislative Assembly
of Ontario**

Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 6 June 2001

Mercredi 6 juin 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 6 June 2001

*The House met at 1330.
Prayers.*

ESTIMATES

The Speaker (Hon Gary Carr): Just before we begin members' statements, the Chair of Management Board.

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): Speaker, I have a message from the Honourable the Lieutenant Governor signed by her own hand.

The Speaker: The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending 31 March 2002 and recommends them to the Legislative Assembly.

MEMBERS' STATEMENTS

LANGUAGE PROGRAMS

Mr Tony Ruprecht (Davenport): Today I'd like to thank the Toronto District School Board, especially its trustees, for voting against cutting adult education and international language programs.

All of us in this House know how important these international language programs are, not only in getting a job, but also in getting Canadians ready for international competitiveness, because the more languages a person knows the more competitive he or she becomes.

At the same time, I'd like to point out, especially to the Minister of Citizenship, that he should stop blaming his favourite whipping boy, the federal government, for cuts. Instead, what he should be doing is making a phone call to the Toronto District School Board and offering what he can do in order to help a very desperate situation so that the Toronto District School Board does not have to cut these international language programs.

We know what these programs will do. The provincial government has done cuts and cuts and cuts, to the bone; not only that, the provincial government has cut into the bone. I ask today that the Minister of Citizenship make the phone call to the chair of the Toronto District School Board and simply say, "In what way can I help? In what way can I ensure that these programs will stay so that all new immigrants and everyone else is going to be helped?"

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 6 juin 2001

PORTUGUESE CANADIAN COMMUNITY

Mr Gerry Martiniuk (Cambridge): This week all of Cambridge is proud to celebrate Portuguese Week. Cambridge has a rich history of Portuguese heritage. Over 10,000 residents are of Portuguese origin, predominately from the Azores islands: São Miguel, Santa Maria, Terceira, Graciosa, São Jorge, Pico, Faial, Flores and Corvo.

Portuguese Week is a wonderful celebration of food, music, sports and culture. Many volunteers have worked tirelessly on this event. I would like to thank Armando Cabral, Nazario Teixeira and Tony Camacho in particular for their role in organizing and coordinating this celebration. My congratulations to all the volunteers, in particular those of the Cambridge Portuguese Club and the Oriental Sports Club, for their hard work.

A parade will be held in downtown Cambridge on June 9, and there will be an open air Mass at our Lady of Fatima church on June 10, conducted by Father Antonio Cunha.

We are justifiably proud of the contribution our Portuguese residents have made to our municipality. I would urge everyone to join us for Portuguese Week in Cambridge.

ST JOSEPH'S LIFE CARE CENTRE

Mr Dave Levac (Brant): On Sunday, June 2, 2001, I was honoured and privileged to attend the day of tribute for St Joseph's Hospital, where our community recognized the past contributors of the decommissioned St Joe's and celebrated the exciting future for the new St Joseph's. You see, the riding of Brant has made lemonade out of lemons so that at this bittersweet moment we will see a new and exciting project rise from the imposed central dictate.

This dynamic new facility, appropriately named St Joseph's Life Care Centre, Brantford, calls for 205 long-term-care beds transferred from the John Noble Home in Brantford, a hospice for terminal patients and their families, a research and academic centre that will focus on senior health issues, and a family practice unit that will have on-site physicians. A number of new community partnerships will also be formed, including a daycare centre that will include intergenerational programming that will mingle seniors with children.

The board of governors of John Noble Home, St Joseph's Hospital, the St Joe's Foundation, the Brantford

city council, the county of Brant council and the Sisters of St Joseph all support this project and want it to happen. The citizens of Brant want this to happen.

All I want now is to make sure that the Minister of Health realizes that all we're waiting for is your final approval, your signature on a piece of paper. Please help us realize our riding's wishes for better health care.

LISA-MARIE COULTER

Mrs Tina R. Molinari (Thornhill): Earlier this week I had the pleasure of hosting for lunch the page from the Vaughan-King-Aurora riding, Lisa-Marie Coulter.

My friend and colleague the late Al Palladini would have been proud to meet Lisa-Marie and hear about all her aspirations. Lisa-Marie's interest in pursuing a political life or a law degree has been enriched during her time here in the Legislature. She has told me that she has thoroughly enjoyed her duty as a page.

Lisa-Marie Coulter is a grade 7 student at St Gregory the Great Catholic Academy in Woodbridge and enjoys dancing, reading, swimming and music.

I am pleased to recognize here today, in the east gallery, Marie and Maurice Coulter, Lisa-Marie's parents, her brother Mathew, and her aunt and cousin Bruno. It is evident they are all very proud of her.

As I recognize Lisa-Marie, whose family are constituents of the Vaughan-King-Aurora riding represented by the late Al Palladini, I take this opportunity to also highlight how well respected a member of the community he was. This Saturday there will be a community centre dedication ceremony to honour the late Al Palladini. The West Vaughan Community Centre will be dedicated as the Al Palladini Community Centre. This dedication is important as we remember the significant contribution Al Palladini made to the community.

PREMIER'S COMMENT

Hon Michael D. Harris (Premier): On a point of order, Mr Speaker: I understand that a few members opposite have raised concerns about a comment attributed to me yesterday. I indicated outside the House this morning, and I would like to repeat it inside the House, that if any comment I made, which was off the record to a colleague of mine, offended anybody, I apologize.

MINISTRY OF THE ENVIRONMENT STAFF

Mr James J. Bradley (St Catharines): With each passing day, new and damning testimony comes out of the Walkerton inquiry that clearly indicates the Harris government knew it was putting lives at risk when it chopped 45% of the budget and one third of the staff of the Ministry of the Environment soon after taking office in 1995.

A review of the testimony of Daniel Cayen provides further chilling details of how the Harris government

understood the potential adverse impact of their cuts, but attempted to portray them as benign and without dangerous repercussions. Mr Cayen, who at the time of the Harris cuts was the acting director of public affairs and communications at the Ministry of the Environment, wrote a letter to cabinet on July 8, 1995. He writes: "Environment groups may react, and some might remind the government that it declared during the campaign that it would not cut the environmental area. Our reduction should be positioned in such a way as to allow us to advance the argument that we have not done so."

1340

So there you have it. The Harris game plan was quite clear all along: cut without appearing to cut and then deny the health risk created by those cuts.

In light of the damning testimony that has come out of the inquiry, from the likes of former MOE assistant deputy minister, Sheila Willis, and drinking water expert, Goff Jenkins, how else can the Premier explain his direct contradiction of their testimony when he stood in this House and told the people, "At no time has this government ever taken an action that we felt would ever jeopardize water, water quality, safety of people in the province. I think common sense would tell you we would not do that"? I believe it is quite apparent that it is now time for Mike Harris and his twisted definition of "common sense" to stand accountable to the people of Walkerton.

LONG-TERM CARE

Ms Shelley Martel (Nickel Belt): This government talks a good line about accountability but demonstrates none when it comes to the critical issue of funding for community-based long-term-care services. In 1998, the Conservatives promised \$550 million in new dollars to CCACs and other community-based long-term-care agencies over the next eight years. This money would be allocated using the government's equity formula.

This government refused to allocate equity funding to the Manitoulin-Sudbury CCAC in the first two years. I objected to that decision and I wrote to the minister, Cam Jackson, to urge him to fund us too, given the difficulties in delivering home care in the north. He would not, but made a specific commitment to provide equity funding to our community beginning in the year 2000. In a letter to me dated August 27, 1998, he wrote, "Starting in 2000-01 and in each of the next five years, the Manitoulin-Sudbury CCAC will receive additional funding based on our equity formula."

In 2000-01, the Sudbury-Manitoulin CCAC did not receive one penny of equity funding, despite the specific promise made by this government. We will not receive equity funding again this year, again despite the government's specific promise to provide the same. Our CCAC, like every other CCAC across Ontario, has already been told not to expect equity funding this year.

So much for the 1998 commitment made by the Harris government to all communities to add money to the base

budgets of CCACs over the next eight years. This government had \$2 billion for its corporate friends in the recent budget; it should fund CCACs.

PORTUGUESE CANADIAN COMMUNITY

Mr Carl DeFaria (Mississauga East): I'm pleased to rise today to speak on behalf of half a million people of Portuguese heritage living in Ontario. Canadians of Portuguese heritage celebrate June as Portuguese History and Heritage Month and celebrate June 10 as Portugal Day in Canada. I urge all the members and all the people who are watching us, if they see their neighbour who is of Portuguese background on Sunday, not to forget to wish them a happy Portugal Day.

This year's celebration has a very special historical significance for Portugal and for Canada. This year marks the 500th anniversary of the arrival of Portuguese navigators led by Gaspar Cortereal to Terra Nova, which is Newfoundland.

Canadians of Portuguese background were proud that the president of Portugal chose Canada to visit on this important occasion. The message that the president of Portugal left for the community was that Canadians of Portuguese background should be good Canadians, because that's so important, that being good Canadians would make them into very proud people of Portuguese background here in Canada.

PHILLIP BIRNBAUM

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): As Liberal children's critic, I would like to tell you about a very special young person who has moved many hearts in his quest to raise money for the Canadian Cancer Society and his commitment to volunteerism. His name is Phillip Birnbaum.

In 1996, Phillip lost his father, Perry, to non-Hodgkin's lymphoma. In the summer of 1998, at the age of 10, Phillip decided he wanted to raise money for cancer. He did not ask any adults for help, but he took it upon himself to ride his bicycle throughout Richmond Hill collecting prizes for a cash-for-cancer raffle. Phil has raised over \$4,000 in the past two years and this year he hopes to raise over \$3,000 to fight cancer. You can find out more about Phillip's work on his Web site at www.philscancerraffle.bigstep.com.

Phillip also volunteers for the Multiple Sclerosis Society and fundraises for other organizations, including the Hill House Hospice. He was presented with the 2000 Ontario Junior Citizen of the Year Award.

I believe that Phillip is an exceptional example, not only for young people in Ontario but also for all Canadians, young and old alike. The commitment and courage of this young man have contributed significantly to the causes he supports. I am especially pleased that I am able to personally present this young man today, as he has

been assisting us in the role as a legislative page. Congratulations, Phillip.

ANNIVERSARY OF D-DAY

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I'm honoured to rise today to mark D-Day. This is the 57th anniversary of that day when the 3rd Canadian Division and the 1st Canadian Parachute Battalion landed in Normandy and began the liberation of France.

I saw in the Toronto Sun that a Hamilton regiment has just laid to rest another one of Canada's heroes, Denis Whitaker. Mr Whitaker won the Distinguished Service Order medal twice and was made a brigadier general.

Today, with the menace of the Afghani Taliban, I don't doubt that there is such a thing as evil and that free people must band together to stop it anywhere in the world where necessary.

I look at the massacres in the former Yugoslavia, when the world waited too long to act. I look at the genocide in Rwanda, when the world did nothing at all. I wonder if the free people of the world still have the moral strength to stand up against oppression, like Denis Whitaker and his generation did.

One thing I know: in 1944, Canada and the free world had the necessary strength and courage. I'm proud to remember those brave soldiers on this 57th anniversary of D-Day.

NOTICE OF MEETING

The Speaker (Hon Gary Carr): The member for Kingston and the Islands.

Mr John Gerretsen (Kingston and the Islands): Mr Speaker, I'd like bring up a point of privilege, and I gave you notice of this earlier today as required under the act.

First of all I'd like to refer to standing order 21(a), which states: "Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes," and it's the other statutes I'm referring to today. It's specifically the Audit Act, subsection 29(1), if I could just read the section: "The auditor shall present annually to the board estimates"—namely, the Board of Internal Economy—"of the sums of money that will be required for the purposes of this act."

Subsection 29(3) states, "Notice of meetings of the board to review or alter the estimates presented by the auditor shall be given to the Chair and the Vice-Chair of the standing public accounts committee of the assembly and the Chair and Vice-Chair may attend at the review of the estimates by the board."

On May 30, the Vice-Chair and I were given notice of the estimates that were going to be discussed by the Board of Internal Economy that day. However, later on that evening of May 30, I understand that a motion was passed by the Board of Internal Economy flatlining the budgets of all the offices of the assembly. Of that particular meeting, neither the Vice-Chair nor I was given

notice of our right to attend. Again, our rights are set out in subsection 29(3) of the act.

My reasons for bringing this forward are twofold. First of all, the committee, during its deliberations this past year, passed two motions: (1) to cause the Provincial Auditor to do a review of the Bruce nuclear-Ontario Power Generation contract. This was after some debate by the committee last fall, and the motion that was passed at that time was that he do this, even though he indicated to us that there would be an additional cost of \$85,000 involved.

1350

There was also another motion passed to the effect that he do a review of Cancer Care Ontario, and although there weren't any specific financial terms attached to that particular review, the committee did pass, again, a motion to the effect that the auditor do a review of Cancer Care Ontario.

The reason for my bringing this forward at this stage is that I am well aware of Speaker Stockwell's ruling back on December 7, 1998, when he ruled that in this House there could not be specific questions raised of anyone who is on the Board of Internal Economy about matters that come before the Board of Internal Economy. You may recall that at that time the question was raised with respect to the rather large settlement that was paid to Allan McLean to deal with that particular issue.

My reason for pointing that out is that the ruling specifically stated that there were no questions that could be raised of anyone in this House relating to matters that came before the Board of Internal Economy. If matters can't be raised in the House relating to that, it is all the more imperative that the section of the Audit Act dealing specifically with the auditor's estimates be followed scrupulously. It wasn't followed in this particular case. I know that we were given notice of an earlier meeting that day, but we were not given notice of the meeting that took place in the evening of May 30.

Speaker, I would ask you to take these matters into consideration. The point that I am simply trying to make is this: if we want the officers of this assembly—and we have four of those officers, of which the Provincial Auditor happens to be one—to exercise their independence, then we want to make sure they are properly resourced. With the Board of Internal Economy's action as it relates to not only the Provincial Auditor but the other three officers as well, the real question is, can a decision of the Board of Internal Economy in effect frustrate the will and direction of a committee?

The committee in my particular case, the public accounts committee, specifically authorized the auditor to do two additional reviews which would cost additional monies and which now in effect have been frustrated by the decision of the Board of Internal Economy.

The question I have is, the Audit Act specifically authorizes, under subsection 29(3), that the Vice-Chair and the Chair be notified of any meetings so that they can be in attendance at these meetings. We did not receive notice of the meeting that took place in the evening of

May 30, and therefore my rights and privileges as a member under that specific act and as Chair of the public accounts committee were violated or not adhered to.

Speaker, I await your ruling in that regard.

The Speaker: I thank the member. What he does point out deals with notice and provisions of the Audit Act for the Board of Internal Economy meetings at which the estimates of the Provincial Auditor are considered. The issue the member raises is one of legal interpretation and is not a matter of privilege. I would be happy to speak to the member privately about it.

Just for some clarification, what 29(3) says is that the Chair and the Vice-Chair "shall be" notified. I have a letter here of May 17 to both you and the Vice-Chair advising you from the auditor, cc'd to me. It goes on to say, "... and the Vice-Chair may attend at the review of the estimates" committee, the operative word being "may."

In fact, it was not a separate meeting that was held that night; it was the same Board of Internal Economy meeting, and we just adjourned for a vote in the House and then came back and finished up. So there was not a new meeting. It was a continuation interrupted by a vote in the House of the same meeting, and all the members of the Board of Internal Economy who were there will know that.

He does raise some valid points and I would certainly be pleased to meet with him and the member of the board to discuss the issue further. But I do thank him for bringing it to my attention.

Mr Gerretsen: If I might just add to that, Speaker—

The Speaker: Very quickly, because we're not going to debate this issue.

Mr Gerretsen: No, but I specifically requested that night that we be advised, the Vice-Chair and I, of any further meetings. At no time was it indicated, when the meeting broke up for a vote in the House, that in effect the committee, the Board of Internal Economy, would be meeting on that issue later on that evening. I think we could at least have been given—

The Speaker: Thank you. Again the operative word is "may" be advised.

Mrs Lyn McLeod (Thunder Bay-Atikokan): On a point of order, Mr Speaker: I have spoken to you about a similar issue before. I have not given notice of privilege; I'm not raising it as a point of privilege. But I am the mover of one of the motions my colleague referred to, specifically the motion calling for a value-for-money audit of the private cancer care centre. It was supported by a majority of people at committee.

As you'll know, Mr Speaker, that is the only recourse we have, as individual members of the House, to direct the auditor to carry out business that the House has determined is of value. I would ask whether you would determine what the status is of a special audit order placed and supported by a majority of the members of a committee, and whether in fact that must be done because it is a direction of the assembly.

The Speaker: I thank the member. We had some brief discussion. I have asked the members of the table to contact you and deal with that issue, hopefully to your satisfaction, and anything we can do to clarify that, because I do appreciate you raised that matter with me. We will try to clarify and give you all that information from the members of the table.

MEMBER'S COMMENT

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I see the Minister of Education in the back. Last week in this House, I used the term "hissy fit" in the heat of debate, and at the time the member for Beaches-East York rose in her place and expressed the concern that that was a sexist comment. I took the member's concerns to heart and I went out and looked into the history of the term and what it means. I can tell you, sir, that it is in fact a term that originated somewhere in the United States. It is a shortening of the term "hysterical fit," and of course the Latin base of the word "hysterical" is "hustera," which refers to the womb.

I earlier this week apologized privately to the Minister of Education and to the member for Beaches-East York for the use of that term. It is a term, sir, that I must confess I have used quite commonly, not fully appreciating the magnitude of it or its history. I want to apologize to you and to this House and to the minister. Although we differ politically, I have a very high regard for her ability. That term was completely out of order. It was very insensitive and I'm embarrassed that I used it in this House.

The Speaker (Hon Gary Carr): I thank the member sincerely for the gracious gesture.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Frances Lankin (Beaches-East York): I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill as amended:

Bill Pr4, An Act respecting the City of Elliot Lake.

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon Gary Carr): I beg to inform the House that today the Clerk received the sixth report of the standing committee on government agencies.

Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

INTRODUCTION OF BILLS

FARM IMPLEMENTS AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI SUR LES APPAREILS AGRICOLES

Mr Barrett moved first reading of the following bill:

Bill 76, An Act to ensure fairness, to foster competition and consumer choice and to encourage innovation in the farm implement sector / Projet de loi 76, Loi visant à assurer l'équité, à favoriser la concurrence et le choix des consommateurs et à encourager l'innovation en matière d'appareils agricoles.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

1400

Mr Toby Barrett (Haldimand-Norfolk-Brant): This bill, if passed, amends the Farm Implements Act and will remove dealer exclusivity as an irritant in dealer/distributor agreements by allowing dealers to sell farm machinery from any distributor or manufacturer. Dealers will be protected from termination by distributors without cause, as specified. It will discourage distributors from imposing discriminatory contracts on individual dealers, and small distributors would be enabled to share warranty costs, parts supply and inventory responsibilities with their manufacturers.

ADOPTION DISCLOSURE STATUTE LAW AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT DES LOIS EN CE QUI CONCERNE LA DIVULGATION DE RENSEIGNEMENTS SUR LES ADOPTIONS

Ms Churley moved first reading of the following bill:

Bill 77, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of Adoption Disclosure / Projet de loi 77, Loi modifiant la Loi sur les statistiques de l'état civil et la Loi sur les services à l'enfance et à la famille en ce qui concerne la divulgation de renseignements sur les adoptions.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Ms Marilyn Churley (Toronto-Danforth): The Adoption Disclosure Statute Law Amendment Act, 2001, would provide access to birth registration and adoption records for adult adoptees, provide access to birth registration and adoption records for birth parents, implement a no-contact notice and amend the Child and Family Services Act to provide, upon request, counselling for adopted persons, birth parents and others who may be affected by disclosure of adoption information.

This is not the first time I have introduced a similar bill in this Legislature. Many of the people present here

today will know that I introduced Bill 88 in 1999 and Bill 108 in 2000. Bill 88 passed second reading with almost unanimous consent from all parties in this House. I just hope that this bill won't have an "8" in the number, because in both cases those bills died on the order paper.

This is an opportunity for all of us in this House to work in a non-partisan way to, this time, not let the adoption community down, many of whom are here today for this first reading, and, in good faith, to get this bill passed and out to committee and finally pass progressive adoption disclosure in this province.

ORAL QUESTIONS

MINISTRY OF THE ENVIRONMENT STAFF

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Premier. This morning, Justice O'Connor took the rather extraordinary step of asking you, a sitting Premier, to appear before his commission of inquiry into the Walkerton tragedy.

In the past, Premier, we took some heart in knowing that you pledged your government's full co-operation with the inquiry and with any request to come from the commissioner. Will you accept Justice O'Connor's invitation?

Hon Michael D. Harris (Premier): I think we made it very clear when we appointed Mr Justice O'Connor to the inquiry that we wish to co-operate in every way. I think all of us across the province want to get to the bottom not only of Walkerton but of post-Walkerton, things that we need to do to protect water quality in the province.

We want the answers to these tragic events. We've said from the beginning that we will fully co-operate, and I look forward of course to fully co-operating in testifying at the inquiry and assisting Mr Justice O'Connor in any way that I can. I think I've made that very clear.

Mr McGuinty: Premier, in the past you categorically denied that your cuts had anything to do with the Walkerton tragedy. You said that you did not cut the number of inspectors. You have denied the existence of cabinet documents calling for more staff to be hired because of public health risks and when one of those very documents was produced, you said it was a phony-balance cabinet document.

We're wondering, Mr Premier, if asked, will you repeat the same answer, under oath, before the Walkerton inquiry?

Hon Michael D. Harris (Premier): I will certainly—I assume I'm under oath, I'm not sure how these inquiries work, but I'm looking forward to it. I said I'll fully co-operate. Whether I'm under oath or not, I always tell the truth, and I will do so with full co-operation at this inquiry.

Mr McGuinty: Premier, you were warned countless times that your cuts to the environment would put people at risk. The Provincial Auditor warned you, the Environment Commissioner warned you, Ministry of the Environment staff had warned you and we on this side of the House had warned you on several occasions, as well.

I'm sure the commission will want to know, and perhaps you can tell us today, why did you ignore these warnings and why did you make cuts at the Ministry of the Environment that you were told would put people at risk?

Hon Mr Harris: I think it's very important that having called the inquiry and empowered Justice O'Connor—and everybody that he is requesting is testifying—we not prejudge the investigation that Mr Justice O'Connor has undertaken. So we'll await the findings of the commission.

EMERGENCY SERVICES

Mr Dalton McGuinty (Leader of the Opposition): My question is also to the Premier. The crisis in our emergency rooms has not gone away. You may have made it somewhat more difficult for us to obtain information in terms of what's happening with redirects and bypasses and the like, but the crisis itself has not gone away. People in Toronto, in particular, are still being turned away. People are still having to wait for care.

Do you know why our emergency rooms are in crisis, especially here in Toronto? Because you closed six separate emergency rooms: you closed them at Wellesley, Women's College, Northwestern, Branson, Queensway and Doctors. We're also experiencing an emergency room crisis because you closed 2,200 beds right here in the greater Toronto area.

Premier, will you now admit that the reason we continue to experience these crises in our emergency rooms is not because of the absence of some protocol, or because somehow ambulance attendants and people in emergency rooms can't work together, that it's because of the fact that there is a desperate shortage of beds in our hospitals and that's the result of your desperate cuts?

Hon Michael D. Harris (Premier): First of all, let me say that our sympathies go out to the families of any member who is having difficulty accessing our emergency rooms, or indeed any of our medical facilities. Certainly I understand, the coroner is looking into the three cases that I assume you are referencing that occurred between January and May 2000. Obviously we regret any circumstance where anybody dies, any circumstance where anybody does not receive appropriate or what they feel is appropriate care.

With regard to bed closures, I think the record is very clear. No government closed more beds than your government, unless it was the NDP government.

Mr McGuinty: Premier, this is fundamentally an issue about hospital beds. We are short hospital beds in the province of Ontario. You closed 8,000 province-wide. You closed 2,200 in the GTA. You closed six

emergency rooms in the GTA. We now understand you've got plans to shut down two more.

GTA hospitals have an occupancy rate of 96%. International evidence tells us that we should have no more than a 90% occupancy rate in our hospitals or otherwise we're going to have, as we're experiencing here in Ontario, a regular emergency room crisis.

Last September, we put forward a plan to help resolve some of the crisis. Two things in particular we asked you to do then, and I ask you to do the same things again today. Will you, first of all, place an immediate moratorium on emergency room closures?

Secondly, will you reopen 1,600 acute care beds immediately so that we can begin to address the concerns that our working families are having in knowing there is a tremendous doubt when it comes to whether or not they're going to find room at the hospital in the case of a dire emergency?

1410

Hon Mr Harris: As I indicated, most of the beds that have been closed across the province were closed under your administration and then again under the NDP administration. Since then, we've had consultations. We've brought the experts together. We brought in a restructuring commission, headed up by Duncan Sinclair, and these matters were all dealt with.

Since 1998, we've invested more than \$705 million in the most comprehensive emergency room strategy in Canada. We've opened beds, we've provided more dollars and we've worked at better coordination. The system, while it may work very well in 99.9% of the cases, obviously is not perfect. This concerns us, and we'll work with our partners to try and improve the situation. It's tough when your party in Ottawa slashes funding for us, but we'll do the best that we can.

Mr McGuinty: Premier, if you're dedicated to anything, it's to reducing corporate taxes by a further \$2.2 billion. It's perfectly obvious that you're not on the side of working families, whether it comes to protecting and improving their health care or protecting and improving their public education. That's what you are all about: cutting corporate taxes.

The coroner's office is now investigating the death of a critically sick man who had a second heart attack while paramedics struggled desperately to find a hospital that had space for him. You should know that his case is not isolated, and it comes down to the fact that here in Ontario we are short of hospital beds. People inside ambulances can't be admitted to hospital emergency rooms because there are no beds available to accommodate them, should they require admission. That's the fundamental problem. You shut down 8,000 beds Ontario-wide, you shut down 2,200 right here in the GTA, you shut down six emergency rooms in the GTA, and now you've got plans to shut down two more.

Premier, why won't you adopt our plan? Impose an immediate moratorium on emergency room closures and open up 1,600 acute care beds. That is something that is in the interests of our working families.

Hon Mr Harris: Let me first of all correct the record. The tax cuts we brought in were so we could have working families. Your policies led to unemployed families. Tax cuts were to have working families; Liberal policies are for unemployed families. We understand your strategy. You're happy to have unemployed families, but that's a separate issue.

It is because we have working families that we've been able to make up the additional \$5 billion costs in health care, that we've been able to make up the cuts from the Liberals in Ottawa. Only because we've had working families have we been able to do this. We were able to have 371 new acute beds and 38 new ICU beds. It's part of the strategy that we worked out with hospitals, ambulance attendants and front-line workers. Only because we have working families are we able to make up the shortfalls of the beds that you closed and that the NDP closed and the shortfall of Liberal money from Ottawa.

The Speaker (Hon Gary Carr): New question.

Mr Howard Hampton (Kenora-Rainy River): My question is to the Premier. The Minister of Health said today that the situation in our hospital emergency rooms is not getting worse. Meanwhile, just down the street a tragic death occurred because Glenn Garden could not get the treatment he needed in a timely way at the emergency room. The ambulance paramedics were told, "The emergency room is too crowded. Find another hospital."

In January another man, deemed extremely critical due to a heart attack and resuscitation, was turned away by an ambulance from Toronto General when again the emergency room was too overcrowded. He died before he could get to another hospital.

Premier, the Fleuelling inquest recommended that there be no more closures of emergency rooms in Toronto, but you're ignoring that coroner's inquest. How many more people have to die, Premier, while your government goes about closing more emergency rooms?

Hon Mr Harris: As I've already indicated, we're putting more and more money into emergency rooms, into more beds, particularly ICU beds and acute care beds, to support emergency rooms. We've come forward with a comprehensive strategy, working with doctors and with nurses and administrators. It has taken some time to undo the damage your party inflicted on not only the economy, leading to record unemployment and deficits, but on the health care system as well. Your savage attack on cutbacks really has taken some time for us all to try and overcome in a rational and comprehensive way, but we are getting there.

Is everything perfect? No. I'd love to tell you that it's perfect. Did we get any money from the Liberals in Ottawa? No; we got \$100 million less than we did six years ago, which is really one of the greatest tragedies facing this country, all across the country.

Yes, there is a coroner's inquest into the very unfortunate event that you raise, and again, our sympathy to the families.

Mr Hampton: Premier, every day in Toronto, ambulances are lined up for sometimes four hours at emergency

wards because the nurses and the doctors are overworked and understaffed. In case you've forgotten, Premier, it was your government that closed the emergency rooms. It was your government that laid off over 10,000 nurses. It was you, Premier, who referred to nurses as out-of-date Hula Hoop workers.

Hospitals cannot hire and keep the nurses they need to operate the emergency rooms. They don't have the funding to pay nurses adequately and to work them on a full-time basis. That's the root of the problem.

Premier, the question is this: instead of another \$2.5 billion of bloated corporate tax cuts, why not provide the hospitals with enough funding so they can hire the nurses?

Hon Mr Harris: As you know, we'd like to do both. That's why we are heavily involved in nursing in this province: \$375 million annually of brand new funding as part of the nursing strategy, worked out with the nurses themselves.

I think you probably have seen the statistics, that for the first time in a long time there are now more nurses in Ontario. We've reversed the trend that we inherited and that quite frankly did continue in a modest way, not the massive layoffs that occurred under your administration but in a modest way, under our administration. We have reversed that, and now we're starting to get more nurses, and more nurses per capita, for the first time in a long time here in the province of Ontario.

Related to that, we had another problem we inherited from you, and that was, like the Liberals, you supported unworking families, unemployed families. It has been our tax cuts that have turned unemployed, unworking families into working families.

Mr Hampton: As much as you try to avoid it, the problem is not enough nurses working, not enough nurses in our hospitals and in our emergency wards to be able to provide the medical care that people need. Your government talks a lot about accountability, but just in the last year you did away with the ambulance redirect system and the ambulance critical care bypass system. That was the system that actually kept figures so that people would know what's happening in the hospital emergency wards and how long the wait is. You did away with that measure of accountability so that people can't be aware of what's going on. What's happening now is that people are dying in the lineups and people are dying in the emergency wards.

I ask you again, Premier, how do you justify further bloated \$2.5-billion tax cuts for corporations when you don't have enough money to hire the nurses to properly operate our emergency wards in our hospitals?

Hon Mr Harris: As I indicated, I don't know where you get your figures from, but we are a party that favours working families, unlike the Liberals and the NDP which favour unworking families. We believe it's important for the health and the safety, if you like, and the security of families that they have a job and be working. To do that, what we found out from your disastrous policies, piled on top of the disastrous Liberal policies, was that you have

to be tax competitive. So that's the first issue that deals with working families.

The term "working families" really only applies under our administration. Surely you wouldn't talk about working families and the Liberals wouldn't talk about working families with the abysmal record of driving people out of jobs and driving investment out of the province. Only when we have working families are we able to provide the dollars for hiring nurses.

Regrettably, there is a nursing shortage across Canada. There's not a shortage of dollars to pay nurses. We've had a shortage, quite frankly, in being able to recruit. We've been very aggressive in that. This is a challenge we are all working on and we're working with—

The Speaker: New question.

1420

MINISTRY OF THE ENVIRONMENT STAFF

Mr Howard Hampton (Kenora-Rainy River): To the Premier again: the Walkerton inquiry has discovered that your cabinet and the policy and priorities committee of cabinet, which you chair, were warned in writing in 1996, a full four years before the Walkerton tragedy, that your cuts to the Ministry of the Environment would increase "the risk to human health and the environment"—in black and white a warning from your own Ministry of the Environment. Is it true that you knew in 1996 that something like Walkerton could happen?

Hon Michael D. Harris (Premier): No.

Mr Hampton: Premier, it's your government and your Ministry of the Environment that are responsible for drinking water safety. Seven people in Walkerton died and more than 2,000 became seriously ill. They didn't get a warning. The documents at the Walkerton inquiry say that you did get a warning. We've learned today that you have to appear before the Walkerton inquiry and present evidence. What will you say when the commission of inquiry asks, "Did you know that your cuts would increase the risk to human health and safety?"

Hon Mr Harris: No.

The Speaker (Hon Gary Carr): New question.

IPPERWASH PROVINCIAL PARK

Mr Gerry Phillips (Scarborough-Agincourt): This has to do with Ipperwash. The Attorney General, Premier, acting on your behalf, gave reasons yesterday why you will not call an inquiry. He was incorrect in the interpretation of what the George family have committed to. He misrepresented what the George family said they were prepared to do.

The Speaker (Hon Gary Carr): I'm afraid the member for Scarborough-Agincourt can't use—

Mr Phillips:—what the George family said they were prepared to do. He said that—

The Speaker: Sorry to be picky. You need to withdraw that.

Mr Phillips: Withdraw. He said they were not prepared to drop their civil litigation. What the George family said, Premier, in their letter is that they "are willing to fully and finally drop their wrongful death lawsuit if your government commits to and holds a full public judicial inquiry into the death of Dudley George." They said it "would be formally and finally terminated" the day "the inquiry final report is presented." Now that you're aware of what the George family said in their letter, are you prepared now to call for a public inquiry?

Hon Michael D. Harris (Premier): I think you heard the comments from the Attorney General yesterday and that's our response.

Mr Phillips: The comments from the Attorney General yesterday were that the George family was not prepared to drop the case. I've just quoted to you from their letter. It couldn't be clearer. So we have two interpretations of their letter, with the government saying the George family is not prepared to drop it. The George family in the letter they sent to you is very clear and unequivocal that they "are willing to fully and finally drop their wrongful death lawsuit" if you will commit to hold "a full public judicial inquiry into the death of Dudley George." It "would be formally and finally terminated."

The reason I raise this is that yesterday, in answer to the question, on behalf of the government, one of the reasons you decided not to hold a public inquiry is because you had not had assurances from the George family that they're prepared to drop it. I am telling you today that they gave you those assurances completely, totally, unequivocally. Knowing that now, will you agree to hold a full public inquiry?

Hon Mr Harris: I read the Hansard from yesterday. The Attorney General outlined a number of reasons. That's the government's position and that's it.

Mr David Ramsay (Timiskaming-Cochrane): On a point of order, Mr Speaker: I'd like to seek unanimous consent to allow the Premier an opportunity to apologize directly to the member for Scarborough-Agincourt for the—

The Speaker: Order. The Premier did come in and make a statement.

STEEL INDUSTRY

Mr Norm Miller (Parry Sound-Muskoka): My question is for the Minister of Economic Development and Trade. Over the past—

Interjections.

The Speaker (Hon Gary Carr): Order. Sorry to interrupt the member. The member for Scarborough-Agincourt, come to order, please.

Interjections.

The Speaker: OK, folks, last warning. I start naming people.

Interjection.

The Speaker: The member for Simcoe North is now named. I would ask him to withdraw from the chamber.

Mr Dunlop was escorted from the chamber.

The Speaker: Anybody else that starts is going to be named. We're not going to carry on like yesterday with the shouting back and forth. The Premier has made a statement today, and we're now going to proceed with the question from the member for Parry Sound-Muskoka.

Mr Miller: I'll start over. My question is for the Minister of Economic Development and Trade. Over the past few months I've been reading in the papers about how foreign countries have been dumping steel in Ontario and grossly undercutting the cost of steel here. Ontario's steel producers are suffering because other international jurisdictions aren't playing by the rules.

Algoma Steel in Sault Ste Marie has been forced into CCAA protection because they just can't compete with price of steel being dumped here by other countries. Minister, could you please update us on the state of Algoma Steel?

Hon Robert W. Runciman (Minister of Economic Development and Trade): The member is right. The steel industry in Ontario has been suffering as a result of unfairly priced imports. Algoma Steel is in the process of restructuring their debt that they acquired while trying to compete in a market flooded with underpriced product. The purpose of the CCAA protection is to give the company time to reorganize its financial situation to find a way to better manage itself. Both myself and my colleague the Minister of Northern Development and Mines have spoken with company president, Sandy Adam, about the filing, and he remains confident that they will be able to resolve their difficulties.

I know these types of announcements are very stressful on everyone in the community of Sault Ste Marie and I encourage them to remain optimistic while Algoma undergoes this restructuring.

Mr Miller: I thank the minister for his answer. Minister, this is not a local phenomenon. Steel producers across Canada and North America are all having trouble surviving because of the games being played by other countries. I understand that the federal government has initiated some trade cases against offending countries. What are they doing? Is it going to protect Ontario's interests?

Hon Mr Runciman: The answer is yes. The Canada Customs and Revenue Agency investigates these complaints and can take action against offenders. A complaint about hot-rolled steel was initiated by Algoma in January, but it took the federal government three months to process the case. This is one of the reasons our steel companies are having trouble. They're getting lost in the federal bureaucracy.

I met with Minister Pettigrew last month. I encouraged him to fight for our steelmakers on the international stage. However, I think they could and should go further. Just yesterday the Bush administration announced that they would be putting the steel dumping issue on their national agenda. If George Bush can find the time to talk about steel dumping, where is Jean Chrétien? Where is the Liberal government? It's time to act.

1430

EDUCATION FUNDING

Mr Dalton McGuinty (Leader of the Opposition):

My question is for the Minister of Education. Yesterday I pointed out that while you tell us you're spending \$13.8 billion annually now on education, your party documents also told us that back in 1994, this ministry was spending \$14 billion annually on education. That tells us that even though we have had 62,000 new students enrol in public education since 1994, there hasn't been a single new penny made available for them.

I want to tell you what this means to working families across the province in their local school boards. In Niagara, the board there is short \$5.6 million and the board is saying they have no choice, that they're going to have to make some cuts. So the amount of time that educational assistants are allowed to spend with special-needs kids will be reduced by half an hour each day, there will be new user fees for parents, and 25 teaching positions are going to be lost. There is a myriad of examples throughout the province in virtually every single school board.

My question to you is, why is it, when there is such a crying need for funding for basic matters in public education, that you are able to come up with \$500 million for private schools?

Hon Janet Ecker (Minister of Education, Government House Leader): As I said in the House yesterday, and obviously the honourable member wasn't listening, in 1995-96, funding for school boards was \$12.9 billion; today it is \$13.8 billion, and that is a clear, clean number of what goes to school boards for classrooms. Now, if the honourable member would like to do our books the way the Liberals did their books and the NDP did their books, we can add in ministry costs; we can add in the teachers' pension plan. But with all due respect, while those are very important investments, they are not money out there for school boards to deliver education.

Secondly, if you check your figures on some of the boards that you like to mention, you will find that their increase in money this year was above their enrolment increase. That is the way we have continued to fund education. That's over \$360 million in new dollars that are out there for this coming school year. It is money that is more than the growth in enrolment. It's an important investment. We will continue to support the public education system because we believe it is a very important priority.

Mr McGuinty: To listen to you, Madam Minister, our public boards are just swimming in money, times have never been better, and they have never been more empowered to deliver a quality education on the front lines to the two and a quarter million children who are attending public schools.

Let me tell you that there is a very different reality out there. At the Thames Valley board, they are short \$17 million, and they are telling us what that is going to mean

for their students. First of all, there will be larger classes; secondly, the waiting list for psychological help will increase by 14 weeks; thirdly, they are cutting computer spending by \$500,000, which means it will now take 13 years to replace a classroom computer; and finally, they're going to lose 75 full-time jobs, including education assistants, literacy teachers, psychologists and speech-language pathologists.

I ask you again: given the crying need for support from you for our public schools, why is it you found \$500 million for private schools but you can't find any money for our public education?

Hon Mrs Ecker: The honourable member keeps trying to play politics with this issue, but the Thames Valley District School Board last year received over a 5% increase while their enrolment growth was zero. So they got 5% more and their enrolment growth was zero. This year they have over 1.5% and their enrolment growth was less than zero. They actually had a decline in enrolment, and yet we gave them more money because we know the needs in our classrooms are very high.

The needs in our classrooms are a very major priority for this government. That's why we have continued to increase dollars to our public education system. We understand that the pressures and the decisions that our school boards have to make to live within their budgets are extremely difficult. They are just as difficult for a school board as they may well be for an Ontario working family trying to live within their budget. That is a challenge. That's why we ask boards to set clear priorities for the classroom so that we can make sure that every year, step by step, we are improving quality and accountability in our public education system—an extremely important priority for this government.

VICTIMS' RIGHTS

Ms Marilyn Mushinski (Scarborough Centre): My question is for the Attorney General. Minister, in November 1999 I introduced a petition in the Legislature that condemned the Dalton McGuinty cousins in Ottawa, the federal Liberals, on their soft treatment of Paul Bernardo and other serious offenders. Over 4,000 Scarborough area residents signed that petition.

But in December of last year my constituents were shocked to learn that a movie script had surfaced about convicted sex killers Paul Bernardo and his wife Karla Homolka. I was appalled. These monsters committed many unspeakable crimes in my riding of Scarborough Centre which culminated in the deaths of two beautiful, innocent young women in southwestern Ontario. My constituents were outraged that something so recent, so hurtful and so close to home could be exploited for profit.

Minister, could you please clarify what the new proposed victims' bill entails and what it does for victims?

Hon David Young (Attorney General, minister responsible for native affairs): I thank my colleague for the question. Let me be very clear. The legislation we introduced yesterday is the very first of its kind in

Canada. It was introduced because victims and victims' groups from across this country came forward and said that this legislation was necessary. I'm told, by the way, that other provinces, including Alberta, are currently working on similar legislation.

If this Legislature passes the bill that we introduced, it will relieve the burden on victims. It will allow for the Attorney General to go to court to take any proceeds that might exist, any profits, any money, whether it's a penny, whether it's a nickel or a dime, from individuals serving time or who have been convicted of serious crimes. We will not allow them to benefit. We will not allow them to profit from the crimes that they committed. We will not allow victims to be revictimized.

Ms Mushinski: Yesterday, the member for St Paul's spoke in response to the minister's bill entitled Prohibiting Profiting from Recounting Crimes Act. He claims, Minister, that your bill was nothing more than reusing, recycling and restating an idea that stems back to 1995. Also, the member for Niagara Centre said in reference to your proposed bill, "You're confiscating those proceeds and putting them into your little slush fund so that you decide as government how they're going to be divvied up. You'll decide which victims are worthy of receiving the proceeds derived from their particular perpetrator by his or her crime against them."

Minister, can you please explain the facts of this bill to the members opposite. Obviously, they don't understand.

Hon Mr Young: I was frankly disappointed with both the Liberal and NDP comments relating to this bill, this bill that comes forward to assist victims.

This bill would relieve the burden that currently exists upon victims to go to court. Under the current law, they would have to go to court, they would have to retain a lawyer, they would have to incur all the costs and the time that is associated with that. If this bill passes, we will then be in a position as a government to go to court for victims. The money that is collected would be provided directly to the victims through an application process—much simpler, much more direct, to individuals who are certainly deserving of that.

Any excess funds that we get as a government would then go back into the communities. It would go back to support victims' services, not back to the criminals. The bill that they stood in this House to support yesterday, the current law, which was a good first step, would see the money returned to criminals, and we will not allow that to happen. That's why we've come forward with this initiative.

WORKPLACE FATALITY

Mr Peter Kormos (Niagara Centre): My question is to the Premier, Speaker.

Premier, why are you and your government so soft on crime, this time corporate health and safety crime? You see, this is Robyn Lafleur, and I'm sending her photo to you because her life was stolen from her in an explosion and fire at the capgun ammunition factory where she

worked in Thorold in 1999. Investigators looking into her death—to the Premier, please, Danielle—found sufficient evidence to lay charge after charge, under both federal and provincial statute, against the company as well as three individuals.

1440

Her mother, Joanne Stubbins, is here in this chamber today. She's been in court every time the case has been called. She gets no information from prosecutors or government officials. She was shocked to read, as was I, that your prosecutors have cut a deal, they've plea bargained the charges away, so that the individuals charged, notwithstanding the evidence collected, will walk away scot-free.

Premier, please tell Robyn's mother, Joanne Stubbins, here today, how you can justify denying Robyn Lafleur, her family, her friends and her co-workers their day in court.

Hon Michael D. Harris (Premier): I think the Attorney General can respond.

Hon David Young (Attorney General, minister responsible for native affairs): My friend opposite, who I believe to be a lawyer, has raised this issue, and it may well be an issue that is deserving of attention in an appropriate forum. It is an issue that I believe in the premise to his question he confirmed was a matter in front of the courts at this time. Of course, that being the case, it would be inappropriate for us to comment further at this time about that. In fact, if we did, I have absolutely no doubt that the member opposite would be the first to be suggesting that the government was doing something most inappropriate.

Mr Kormos: You bet your boots it's before the courts, and on June 27, this government's plea bargain is going to cut loose all of the perpetrators of what amounts to the life of a young woman worker who was crushed to death under a burning beam, whose body was burned so badly that the hospital pulled the plug on her near-lifeless body.

This Attorney General is responsible for the conduct of his prosecutors. It is his prosecutors who are cutting the deal, who are cutting loose accused people, individuals who are responsible for Robyn Lafleur's death.

You talk about being tough on crime; you talk about standing up for victims. Where are you when it comes to Robyn Lafleur and other workers? Where are you when it comes to standing up for Joanne Stubbins? Robyn isn't left to speak for herself; her mother has to speak for her. Join in demanding that your prosecutors and their federal counterparts engage in a tough and full prosecution of these charges against the perpetrators of that crime against Robyn Lafleur, her family and that working community.

Hon Mr Young: Let me say that we have great sympathy for the family. If there is some way, at this time or in the future, that we can assist the family, I'm prepared to do so.

But one of the things that we cannot do, one of the fundamental principles of our justice system and of this

government, one that dates back over centuries, is that we can't stand in this Legislature and comment upon pending court cases. So if my friend opposite wishes to bring forward information, wishes to facilitate meetings between victims and crowns, which is something that we always make time for, then I am prepared to co-operate in that regard. But public statements at this time are something that we simply cannot do.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

The Speaker (Hon Gary Carr): New question? The member for London-Middlesex. Elgin-London-Middlesex.

Mr Steve Peters (Elgin-Middlesex-London): You got the Elgin in. That's the important part, Speaker.

My question is for the Premier. Your government continues to force persons with disabilities and older adults to live in institutions, rather than coming up with a method of direct funding to them and their families so that they can hire their own attendants. Direct funding is considered appropriate under an independent living model. It is preferred by most members and their families, and it was promised by your party since you were first elected.

Dani Harder, who is sitting in the Speaker's gallery today, is a 26-year-old woman whom your government is forcing to live in a children's hospital, in complete violation of her rights, simply because there is no mechanism in place to help her move to her own apartment in the community with 24-hour attendant care.

Premier, will you stop warehousing people in institutions instead of helping them to live a more independent and dignified life in their own homes and their own communities? When will you finally act to help this vibrant young woman get out of an institution?

Hon Michael D. Harris (Premier): I think the Minister of Community and Social Services can respond.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): Let me indicate at the outset that I'm certainly happy to work with the honourable member and to talk to this family and see what more we can do for this family.

I can tell the member opposite that providing supports to people with developmental disabilities has been an incredible priority for me and for this government. We've brought in a record investment to help people with developmental disabilities, the biggest investment in Canadian history.

I look at the situation in southwestern Ontario, where the executive director of the Wallaceburg and Sydenham District Association for Community Living said, "The minister listened well." He called our announcement, "It's really everything we asked for."

We acknowledge that we can do more. We acknowledge that the plight of people with a developmental disability and their families needs to be improved. That's why we've made an unprecedented five-year commit-

ment to do more to help community living, to do more to provide supports to people and their families right across the province of Ontario.

Mr Peters: I am the critic for agriculture, and there's one thing in agriculture: a lot of silos. What we've just seen today is the problem within this government: silos. Do you know who should have answered this question? Not the Minister of Community and Social Services; it's the Minister of Health. It's the Minister of Health whom Dani Harder has been dealing with, and that's part of the problem we've got in this province right now. We've got government ministries working in silos and not working in the best interests of individuals.

Premier, I am appealing to you for your direct intervention. The difference between what Dani's family requires to care for her and what the Ministry of Health is offering is \$50,000. Money seems more important than the quality of Dani's life.

Why would you be willing to spend \$120,000 to place her in a congregate living situation like New Visions, but you are not willing to fund the same amount so that she can live with dignity in her own home? Why are bureaucrats comparing the cost of her care to what it costs in a seniors' facility, rather than what it would cost in a facility for young people with disabilities who require 24-hour care? Is it your intention to force young people like Dani into seniors' facilities because of your government's failure to act? I implore you, Premier, for the sake of Dani Harder's dignity and for the other individuals in this province like Dani Harder, will you please intervene and help this family?

Hon Mr Baird: I have indicated to the member opposite that I'm more than prepared to work with my colleagues, whether it's my colleagues at the Ministry of Health or it's our colleagues through our regional offices of the Ministry of Community and Social Services.

We've made an unprecedented commitment to community living in this province with more budgets. That commitment is shared by many folks right across the province of Ontario. I support expanding opportunities for community living. We have had a consultation.

One of the members in your own caucus just got up and presented a petition the other day calling on us to keep the institutions open, saying that institutions had a place in Ontario. That hasn't been the policy of successive provincial governments, be they Liberal, New Democrat or Conservative.

We're moving forward, with an unprecedented commitment. We're moving forward to expand the number of services. One individual said, "One of the good things that the budget did is that they did do some good things to help people with a developmental disability and the developmentally handicapped, and they ought to be congratulated, because it was long overdue." That was Greg Sorbara who said that last month.

DRINKING AND DRIVING

Mr Doug Galt (Northumberland): My question is directed to the Minister of Transportation. Unnecessary

carnage still occurs on our highways due to drinking and driving. In fact, statistics suggest that approximately 25% of all—

Interjection.

The Speaker (Hon Gary Carr): The member for Hamilton East, this is his last warning. I'll have to throw him out. Sorry—

Interjection.

The Speaker: Order. I'll make the decisions in here, I say to the ministers. You worry about your own ministries and I'll worry about in here.

Member for Northumberland.

Mr Galt: In fact, Minister, statistics suggest that approximately 25% of all fatal collisions involve a drinking driver. This indeed is unacceptable, as each and every one of these accidents could have been prevented. Many organizations, such as Mothers Against Drunk Driving, Ontario Students Against Impaired Driving, and the Ontario Provincial Police are in fact doing their part.

Minister, what are you doing to reduce and preferably eliminate drinking and driving in the province of Ontario?

Hon Brad Clark (Minister of Transportation): I want to thank my colleague for the question. I want to assure him that this government has taken tough action to reduce the incidence of drinking and driving in Ontario. Since 1996, we have introduced a number of initiatives, one of them being administrative driver licence suspensions. It might surprise people in this House: there have actually been 89,000 people who have lost their licences for 90 days since the program was implemented in 1996.

We've also introduced remedial measure programs as a precondition for licence reinstatement. We've also increased the suspension period for repeat offenders.

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Vehicle impoundment is another program which we have put in place for those who were driving while suspended due to Criminal Code convictions. Over 2,800 vehicles have been impounded by this government.

The Solicitor General has also developed a dedicated, multi-year RIDE program, which we have funded to the tune of \$1.2 million annually.

Mr Galt: Thank you very much, Minister, for that answer. Indeed, with every action associated with drinking and driving there is injury and often death and families destroyed. It is reassuring to know that our government is addressing the dangers that drinking and driving continues to pose in the province of Ontario.

Action is only one part of the equation. The other part of the equation—of course, the most important part—is the result obtained. Minister, can you describe to my constituents in Northumberland what effect these measures are having in reducing the problem of drinking and driving and the number of associated accidents, injuries and fatalities?

Hon Mr Clark: Once again I thank my honourable friend for the question. I want to emphasize that the Ministry of Transportation's commitment to road safety

and our efforts to reduce drinking and driving are an integral part of this commitment. Let there be no mistake: drinking and driving continues to be a serious issue in the province of Ontario.

But I also want to make it clear that our tough action against drinking and driving is working. Since 1995, drinking and driving fatalities in Ontario have decreased by over 36%, more than one third. We will continue to make every effort to crack down on drinking and driving in Ontario in the years to come. That includes making use of new technologies. For example, my ministry is working with other ministries to develop a coordinated approach to implementing an effective ignition interlock program. Ignition interlock is a device that will prevent drunk drivers from being able to start their vehicles. It was the basis of a private member's bill that was passed in this House last December, and I'd like to credit the member for Simcoe North, Mr Dunlop, if he were here right now, for his work on that bill to help combat drinking and driving in Ontario.

HOME CARE

Mrs Sandra Pupatello (Windsor West): My question is for the Premier. Premier, I wanted to read to you from your own document that you went to the electorate with and in which you agreed to the people of Ontario to take care of their health needs. What you said to them was that you were going to look at patient-based budgeting. That's what you were going to do. You said that you were going to put the priority on people who need health care. You said that "for many who need this care, this is going to mean an end to rationing and waiting lists." That's what you said.

I want to talk to you about all of the home care agencies now across Ontario that are rationing service and who have longer waiting lists than ever before because your government will not fund these people according to the people that they need to serve.

Premier, what do you have to say about the promises you made before you embarked on all of this massive change to health delivery and what we have now in home care—rationing of service, service cuts, and waiting lists?

Hon Michael D. Harris (Premier): I think it's important to put a few things into context. First of all, funding for community health services has increased by \$658 million since we took office—\$658 million from the province of Ontario. The federal share: zero dollars. That's the first thing that you need to understand. This represents an increase of some 57%.

We have increased in-home services by 72%. Is it enough? Obviously a number of CCACs are saying it is not enough. In spite of the federal Liberal cutbacks and the slashing of \$100 million out of our budgets from 1994, over the last six or seven years, in spite of putting 72% more in, in spite of all these funding pressures, there are still some CCACs who say it is not enough. That's why the minister is in consultations with the CCACs: to review the budgets to see if there are other areas where money can be found. We can't count on—

The Speaker (Hon Gary Carr): Order. I'm afraid the Premier's time is up.

Interjections.

The Speaker: All three of us are up. We look like the Three Stooges here. The member for Windsor West.

Mrs Pupatello: It's not about "in spite of." It's in spite of your promise to the people of Ontario. You promised that you were going to bring in budgets that were patient-based. You said you would end rationing and you would end waiting lists. What you did was you cut hospitals and sent people home sicker and quicker than ever before. You said you were going to spend money in the community before you did that. The community was not ready for that, and that means that home care takes care of 70% of their patients from the hospitals, never mind the elderly women who rely on the most basic of services to keep them in their homes. Let's talk about York region, one of the largest community care access centres, that is facing a \$12-million shortfall in the 905 region. I want to tell you that this affects mostly women; it affects mostly elderly women. What these people are saying is that those who have a personal worker for the basics—housekeeping, shopping, meal preparation, banking—are going to have the service discontinued. Premier, what do you say to the elderly women of the 905—

The Speaker: I'm afraid the member's time is up.

Hon Mr Harris: I say to them that we have increased funding 72%. I say to them that it is a tremendous challenge for the province of Ontario. I say to the Liberals in Ottawa, who contribute not a cent—in fact, they've cut their funding levels to us—that in spite of the fact that they campaigned on a pharmacare program and on a home care program, not one cent has flowed from that, and that has put extra pressure on every Premier and on every government all across the country. I say to them in spite of that, thanks to our tax cuts and our miraculous recovery in the economy, that we fund home care more than any other province does all across the country—more per capita, the most generous program that's there. And I say to them we're working with the CCACs, and in spite of the Liberals' slashing and lack of honouring their commitments, we're going to do our very best to do more.

APPRENTICESHIP TRAINING

Mr Joseph Spina (Brampton Centre): My question is for the Minister of Training, Colleges and Universities. Ontario has seen unprecedented growth in the past number of years and, as we continue to grow as a province, I'm concerned that with the broad base of industry that we have in this province, we don't have enough qualified and well-trained apprentices in place to help continue to build the province's future.

Apprentices are an integral part of our economy, Minister, and we need these skills and these experiences that apprenticeship training can offer. Without the continued supply of young people in training, I'm worried about our ability to foster further economic growth.

Minister, can you tell us what the government and your ministry are doing to build participation in apprenticeship training in this province.

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): I'd like to thank my colleague from Brampton Centre for his question. Apprenticeship training is something that this province has known for a very long time needed some serious attention.

A few years ago we introduced the Ontario youth apprenticeship program in our schools, which is aiming to get young people opportunities, sometimes credit, for their apprenticeship training so that they will be interested in moving into the trades, which are well-paid jobs, where we actually need them.

In the last budget in May we also had an increase of some \$33 million, and that is to assist us in helping to double the number of people right now in apprenticeship training in the skilled trades.

We take this issue very seriously. We are getting great co-operation from the trades and from people who are interested in assisting government. I know that parents will be looking with their students to make different decisions for their future.

Mr Spina: Thank you Minister. I'm pleased that you're taking this seriously. We know that a lot of Ontario's young people are excited about job possibilities that can result from good apprenticeship training, and there are a number of rewarding careers that are available to these young people with the proper training.

Minister, it's not only critical to invest in students in terms of the place in the operations, but we also have to make sure they are given every opportunity to learn with the most current technology and the most current equipment possible. Minister, what is the government doing to give these young people access to the latest equipment and technologies so that they can pursue their careers in these most needed skilled trades?

Hon Mrs Cunningham: In response, we are committed to doubling the number of people in apprenticeship training in the skilled trades. I have already mentioned the \$33 million in the budget right now to help with this goal to double the number. There's another number in that budget of \$50 million over five years and that's to help our colleges, which are tremendous partners with the trades in different communities across this great province, to provide better equipment so that we can assist these young people in their goals.

But one thing is missing, and I wonder why the Liberals across the House don't speak to the federal members so that we can get the training agreement signed. Therefore, I will be very serious: they would rather spend money on kiosks than on apprenticeship training.

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OCCUPATIONAL HEALTH AND SAFETY

Mr Peter Kormos (Niagara Centre): To the Premier: the law says that when a worker believes they're in danger, but the boss disagrees, that worker—

Interjections.

The Speaker (Hon Gary Carr): Stop the clock. Order, please. The member for Niagara Centre now has the floor. Sorry for the interruption. The member for Niagara Centre.

Mr Kormos: Thank you. Premier, the law says that when a worker believes that a job puts them in danger and their boss disagrees, they can refuse to do that job, and if she does, an inspector has to come and inspect that work site, take a first-hand look, be there and meet face to face with those involved and make a decision. That law saves lives every day in workplaces across this province and, quite frankly, every one of those lives saved is worth every penny of what those on-site inspections cost. Bill 57 says those inspections are no longer necessary. Premier, how many lives and injuries are you prepared to risk in return for your so-called efficiencies that you seek, that you're going to obtain, by eliminating mandatory on-site inspections?

Hon Michael D. Harris (Premier): I know the minister gave a full explanation of that very same question in the Legislature this week.

Mr Kormos: Premier, your hubris, I tell you, should be alarming to everyone here. We're talking about workers' health, about workers' safety. We're talking about working women's and men's lives.

Look, a decision to refuse dangerous work is one of the most difficult decisions any worker makes in this province. It doesn't happen very often. The worker acts alone and the worker risks antagonizing his or her employer. It's a standoff and the stakes are as high as they get. A much wiser Conservative government and labour minister recognized this historically. They created that law, a solution, and that was a mandatory inspection by a third party who must come to the work site and determine whether or not it is safe to proceed. You see, that saves workers' lives. That protects workers' health and it protects workers' safety. The law works, but you want to undo it.

Premier, we know you can't guarantee that these changes to Bill 57 won't mean another death or injury. Why are you taking that risk with working Ontarians' lives?

Hon Mr Harris: I think the Minister of Labour can respond.

Hon Chris Stockwell (Minister of Labour): I want to go on the record very clearly. This will not be responsible for any death or injury in the workplace. Let me give you an example—

Interjections.

Hon Mr Stockwell: Hold on. Let me give you an example of a situation where the inspector would decide that a site visit isn't necessary. This is an actual example. An employee phoned up the Ministry of Labour and said, "I don't think my boss is qualified to be my boss." The inspector then—

Mr James J. Bradley (St Catharines): That was you, talking about the Premier.

Hon Mr Stockwell: Hold on, member for St Catharines, just listen. The inspector said—

Interjections.

The Speaker: Order. The minister has the floor. Sorry, Minister of Labour.

Hon Mr Stockwell: I agree with the member opposite. This is an important issue and I think we need to discuss it rather than—the comments you made need to be challenged.

The ministry inspector would then have the power to say, "Why don't you fax me the accreditation that this individual, the boss, has. I'll review it and determine whether or not he should be or is capable of being your boss." They went out to the site, reviewed the accreditation and said, "This stop-work order isn't necessary. You can go back to work." Saving that transit for the two- or three-hour trip, shutting down the operation because one employee said, "You're not qualified to be my boss," is asinine. That's why we instituted a provision that said you can fax it to the inspector and They can review this and make a decision. It's simple common sense. Quit going over the top and quit fearmongering.

PETITIONS

NURSES

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario.

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions."

I submit more of the over 12,000 names that have been added to this petition and add my own name in full agreement with their concerns.

EDUCATION TAX CREDIT

Ms Shelley Martel (Nickel Belt): I have a petition that reads as follows, and it is addressed to the Legislative Assembly of Ontario.

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I agree with the petitioners and I've affixed my signature to this petition.

ELECTRICITY GENERATING STATION

Mrs Margaret Marland (Mississauga South): I am presenting this petition on behalf of the residents of Mississauga South and the residents of the riding of Oakville, where the MPP is Gary Carr, the Honourable Speaker of this House. This is in a series of now thousands of names. The petition reads as follows, and it is a petition to the Parliament of Ontario.

"Whereas Sithe Energies Canadian Development Ltd is actively pursuing the development of an 800 MW electricity generating facility;

"Whereas the 14-hectare parcel of land on which the station is proposed is located on the east side of Winston Churchill Boulevard in the Southdown industrial district of Mississauga;

"Whereas Sithe has stated its commitment to an open dialogue with communities where it has a presence and to being responsive to the concerns of the same;

"Whereas the government of Ontario has a responsibility to ensure the safety of Ontario citizens and to determine how this facility will impact those who live in its immediate, surrounding area,

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the government of Ontario direct the Ministry of the Environment to undertake a formal environmental assessment of the Sithe project."

I add my name to this petition.

NURSES

Mr James J. Bradley (St Catharines): This petition is to the Legislative Assembly of Ontario.

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions."

I affix my signature. I'm in complete agreement with the petition.

1510

EDUCATION TAX CREDIT

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to rise in the House today and present a petition to the Legislative Assembly of Ontario which reads:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I affix my signature.

BRIDGE REPLACEMENT

Mr Michael A. Brown (Algoma-Manitoulin): I have some more petitions to the Legislative Assembly of Ontario, stating:

"Whereas the existing Highway 519 bridge over the Magpie River south of Dubreuilville is a single-lane, 45.7 metre span Bailey bridge; and

"Whereas the safety of the residents, workers and visitors driving into and out of Dubreuilville is constantly jeopardized because of the single-lane capacity; and

"Whereas the minister has been made aware that there is an immediate need to replace this single-lane bridge with a two-lane bridge; and

"Whereas the ministry has agreed to prepare a design for a future double-lane replacement bridge, however, they have not yet approved the project;

"We, the undersigned, petition the Ontario Ministry of Transportation and the Ontario government once again to immediately approve the replacement of the single-lane Bailey bridge by a two-lane bridge."

Mr Speaker, I agree with my many constituents in Dubreuilville who have signed this petition.

EDUCATION TAX CREDIT

Mr Joseph Spina (Brampton Centre): We have a petition here to the Legislative Assembly of Ontario from a number of constituents of mine and Minister Clement, who is not in a position, obviously, to present for his constituents, and I am pleased to do so also on his behalf. It reads:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I have a number of people here from my riding, Sharon Mulder, Carlene Moakler, Ted Van Lingen, Sharon Anderson and a number of others, and I'm pleased to present this on their behalf.

The Speaker (Hon Gary Carr): Petitions?

Mr Michael Gravelle (Thunder Bay-Superior North): I've got a petition a large number of people sent in against the tax credit for private education.

"To the Ontario Legislature:

"Whereas the announced tax credit for private school tuition will lead to government funds being directed to private education rather than the underfunded public school system that is mandated to educate all children regardless of cultural, religious or socio-economic status;

"Whereas the education tuition tax credit of up to \$3,500 per child when fully implemented will lead to an increase of students being enrolled in private schools to the detriment of the public schools;

"Whereas there will be no accountability for the use of public funds allocated through the education tuition tax credit; and

"Whereas the advocates for religious schools have indicated they will continue to seek full funding for religious education with the potential result of more public funding being diverted to private schools;

"We, the undersigned, call on the Ontario Legislature to vote to remove the education tuition tax credit from Bill 45, the Ontario 2001 budget legislation."

Many people have signed the petition. I am happy to add my name to that list.

Mr Wayne Wettlaufer (Kitchener Centre): The page from Kitchener Centre, Sabrina Wirz, will come up and take this down.

I have a petition signed by a couple of hundred members of my riding of Kitchener.

"To the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I affix my signature.

NURSES

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I have a petition to the Legislative Assembly of Ontario:

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses;

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time, regular and part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions."

I sign my name to this petition.

EDUCATION TAX CREDIT

Ms Shelley Martel (Nickel Belt): I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government plans to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I agree with the petitioners, and I've affixed my signature to this petition.

The Speaker (Hon Gary Carr): Petitions?

Mr Bob Wood (London West): I have a petition signed by 177 people.

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim,

Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

1520

Mr Ernie Parsons (Prince Edward-Hastings): "To the Ontario Legislature:

"Whereas the announced tax credit for private school tuition will lead to government funds being directed to private education rather than the underfunded public school system that is mandated to educate all children, regardless of cultural, religious or socio-economic status;

"Whereas the education tuition tax credit of up to \$3,500 per child, when fully implemented, will lead to an increase of students being enrolled in private schools to the detriment of the public schools;

"Whereas there will be no accountability for the use of public funds allocated through the education tuition tax credit; and

"Whereas the advocates for religious schools have indicated they will continue to seek full funding for religious education with the potential result of more public funding being diverted to private schools;

"We, the undersigned, call on the Ontario Legislature to vote to remove the education tuition tax credit from Bill 45, the Ontario 2001 budget legislation."

I am pleased to add my signature to this.

ORDERS OF THE DAY

PUBLIC SERVICE STATUTE LAW AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA FONCTION PUBLIQUE

Resuming the debate adjourned on May 16, 2001, on the motion for second reading of Bill 25, An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act, 1993 / Projet de loi 25, Loi modifiant la Loi sur la fonction publique et la Loi de

1993 sur la négociation collective des employés de la Couronne.

The Speaker (Hon Gary Carr): Pursuant to the order of the House dated May 30, 2001, I'm now required to put the question.

Mr Wettlaufer moved second reading of Bill 25, An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act, 1993. Is it the pleasure of the House that the motion carry?

Interjections.

The Speaker: We can always hear the member for Niagara Centre.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

The division bells rang from 1522 to 1527.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted	Hastings, John	Ouellette, Jerry J.
Baird, John R.	Hudak, Tim	Runciman, Robert W.
Beaubien, Marcel	Jackson, Cameron	Sampson, Rob
Clark, Brad	Johns, Helen	Snobelen, John
Coburn, Brian	Kells, Morley	Spina, Joseph
Cunningham, Dianne	Klees, Frank	Sterling, Norman W.
DeFaria, Carl	Marland, Margaret	Stewart, R. Gary
Ecker, Janet	Martiniuk, Gerry	Stockwell, Chris
Elliott, Brenda	Maves, Bart	Tascona, Joseph N.
Flaherty, Jim	Mazzilli, Frank	Tsubouchi, David H.
Galt, Doug	Miller, Norm	Turnbull, David
Gilchrist, Steve	Molinari, Tina R.	Wettlaufer, Wayne
Gill, Raminder	Munro, Julia	Wilson, Jim
Guzzo, Garry J.	Murdoch, Bill	Witmer, Elizabeth
Hardeman, Ernie	Mushinski, Marilyn	Wood, Bob
Harris, Michael D.	Newman, Dan	Young, David

The Speaker: All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Duncan, Dwight	Martel, Shelley
Bartolucci, Rick	Gerretsen, John	Martin, Tony
Boyer, Claudette	Gravelle, Michael	McGuinty, Dalton
Bradley, James J.	Hampton, Howard	McLeod, Lyn
Brown, Michael A.	Hoy, Pat	McMeekin, Ted
Caplan, David	Kennedy, Gerard	Parsons, Emie
Churley, Marilyn	Kormos, Peter	Peters, Steve
Cleary, John C.	Kwinter, Monte	Phillips, Gerry
Colle, Mike	Lalonde, Jean-Marc	Pupatello, Sandra
Crozier, Bruce	Lankin, Frances	Ramsay, David
Di Cocco, Caroline	Levac, David	Ruprecht, Tony
Dombrowsky, Leona	Marchese, Rosario	Smitherman, George

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 48; the nays are 36.

Pursuant to the same order, the bill is referred to the standing committee on general government.

RESPONSIBLE CHOICES FOR GROWTH AND ACCOUNTABILITY ACT (2001 BUDGET), 2001

LOI DE 2001 SUR DES CHOIX RÉFLÉCHIS FAVORISANT LA CROISSANCE ET LA RESPONSABILISATION (BUDGET DE 2001)

Resuming the debate adjourned on May 30, 2001, on the motion for second reading of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois.

The Speaker (Hon Gary Carr): Pursuant to the order of the House dated June 4, 2001, I'm now required to put the question.

Mr Hardeman moved second reading of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

The division bells rang from 1531 to 1536.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted	Hastings, John	Ouellette, Jerry J.
Baird, John R.	Hudak, Tim	Runciman, Robert W.
Beaubien, Marcel	Jackson, Cameron	Sampson, Rob
Clark, Brad	Johns, Helen	Snobelen, John
Coburn, Brian	Kells, Morley	Spina, Joseph
Cunningham, Dianne	Klees, Frank	Sterling, Norman W.
DeFaria, Carl	Marland, Margaret	Stewart, R. Gary
Ecker, Janet	Martiniuk, Gerry	Stockwell, Chris
Elliott, Brenda	Maves, Bart	Tascona, Joseph N.
Flaherty, Jim	Mazzilli, Frank	Tsubouchi, David H.
Galt, Doug	Miller, Norm	Tumbull, David
Gilchrist, Steve	Molinari, Tina R.	Wettlaufer, Wayne
Gill, Raminder	Munro, Julia	Wilson, Jim
Guzzo, Garry J.	Murdoch, Bill	Witmer, Elizabeth
Hardeman, Ernie	Mushinski, Marilyn	Wood, Bob
Harris, Michael D.	Newman, Dan	Young, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Duncan, Dwight	Martin, Tony
Bartolucci, Rick	Gerretsen, John	McGuinty, Dalton
Boyer, Claudette	Gravelle, Michael	McLeod, Lyn
Bradley, James J.	Hampton, Howard	McMeekin, Ted
Brown, Michael A.	Hoy, Pat	Parsons, Emie
Caplan, David	Kennedy, Gerard	Peters, Steve
Churley, Marilyn	Kormos, Peter	Phillips, Gerry
Cleary, John C.	Kwinter, Monte	Pupatello, Sandra
Colle, Mike	Lalonde, Jean-Marc	Ramsay, David
Crozier, Bruce	Lankin, Frances	Ruprecht, Tony
Curling, Alvin	Levac, David	Smitherman, George
Di Cocco, Caroline	Marchese, Rosario	
Dombrowsky, Leona	Martel, Shelley	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 48; the nays are 37.

The Speaker: I declare the motion carried.

Pursuant to the same order, the bill is referred to the standing committee on finance and economic affairs.

1540

AMBULANCE SERVICES COLLECTIVE
BARGAINING ACT, 2001

LOI DE 2001

SUR LA NÉGOCIATION COLLECTIVE
DANS LES SERVICES D'AMBULANCE

Hon Mr Stockwell moved second reading of the following bill:

Bill 58, An Act to ensure the provision of essential ambulance services in the event of a strike or lock-out of ambulance workers / Projet de loi 58, Loi visant à assurer la fourniture des services d'ambulance essentiels dans l'éventualité d'une grève ou d'un lock-out de préposés aux services d'ambulance.

Hon Chris Stockwell (Minister of Labour): I appreciate the fact that some of the members have stayed. You know you've got a bad bill when the member for St Catharines leaves.

I want first of all to talk about the purpose of the bill and why we did what we did. Let me deal with a general overview of the bill in the first place and tell you how it is we reached what I believe is a consensus by taking into consideration all the parties that were involved in this particular approach.

I think everybody in this House would agree that it is an important and noble purpose to ensure continuous ambulance services during a strike or lockout. If we all agree with that—and I don't think anyone would disagree with that—then we have to move on with a bill that would ensure continuous service. To put it into layman's vernacular, paramedics go to work if their unions are on strike, so people who need a paramedic or an ambulance during a strike period can get one. I don't think anyone in this chamber would disagree with that approach. Obviously it's a public safety issue and it's paramount for us as legislators to ensure that that kind of public safety issue is not disrupted.

We need the legislation because services were transferred from the province to the municipalities in January. The transfer means that the majority of workers now fall under the Labour Relations Act, and under the Labour Relations Act it gives paramedics an unfettered right to strike. We are now faced with a situation, with the passing of ambulance services from the provincial level to the municipal level, that they now fall under the Labour Relations Act, which then gives them full and unfettered access to strike.

I personally don't believe that your average, typical paramedic would strike, even if there were a vote for a strike. I believe that they are professionals and they probably wouldn't strike. Be that as it may, I think we all

agree that, by law, we should implement legislation that says no, you can't strike. So this bill requires negotiation of an essential service agreement prior to a legal strike or lockout.

Having come from the municipal world, I'll tell you that we used to have these in Toronto. They're called essential services agreements. What it basically says is that paramedics are part of a broader union, and in the case of Metropolitan Toronto, they were part of a union that included outside workers. The paramedics would say, before any negotiations took place and long before any potential opportunity for a strike occurred, "We will sign an essential services agreement with Metropolitan Toronto and agree that, should there be a strike, paramedics and those people who provide the services for paramedics—mechanics, people who answer the phone, operators etc—also could not go on strike," so that service itself wouldn't be disrupted.

It came to us, particularly from the union side, that they needed to retain some right to strike but allowing critical services to continue. Let me say that the right to strike is something I think most, probably all, unions hold very dearly to their heart. I've got to tell that normally in a year we have very few strikes or lockouts. There is a 96%, 97% success rate in negotiating collective agreements. But sometimes you get to a point where there could be a strike, so we needed to try and strike a bill—and this is a difficult thing to do—that could balance the right to strike with public safety of paramedics.

Our idea was this: since most paramedics belong to a broader union, in essence, a larger collective agreement, they have what we deem to be a meaningful right to strike. In essence, if they can't reach a collective agreement, and they can't get together and there is going to be a lockout or strike, we believe that if there are enough members of the union, a meaningful right to strike would give those people who are not paramedics the right to strike and withdraw services but allow the paramedics to go to work. At the completion of that collective agreement, after the strike or lockout period, whatever collective agreement was negotiated by those workers with the right to strike would then be given to the paramedics automatically upon ending that particular situation.

Mr David Caplan (Don Valley East): OK, you've sold us.

Hon Mr Stockwell: I hope it would be sold and I would hope this would only take a couple of days of debate. But I tend to think there's always a bit of a fly in the ointment. And I say to my friends in the NDP, I've tried my best to continue the unfettered right to strike, because that's what you tell me is the important part of these things.

Interjections.

Hon Mr Stockwell: Obviously, I've struck a funny bone with the member for Don Valley East. They say, "Ridiculous," but frankly, there are only two ways to go about this, to the member for Thunder Bay. Either you determine that flat out they can't strike and they have to

go to arbitration, period, end of discussion, or you can maintain their right to strike.

Mrs Lyn McLeod (Thunder Bay-Atikokan): But you haven't done this.

Hon Mr Stockwell: Sure we have, because they're part of a broader collective. That right to strike is retained by those people who go out on strike, and whatever they collectively negotiate with their employer is automatically given to those paramedics who went to work because of an essential services agreement.

So, on the one hand, we've maintained the integrity and the importance of providing an essential service to the public so nobody dies during a strike period, but if a withdrawal of services is the only way to reach a collective agreement, whatever they've negotiated in that collective agreement will be automatically given to those paramedics. That does both: that protects the public from a disruption of paramedics and provides the union with an ability to get a better collective agreement through a strike process. That is as reasoned an approach as you can take.

Interjection.

Hon Mr Stockwell: Well, it may be very complicated for you, Mr Caplan. I appreciate that and I understand it may be difficult for you to understand, but if you read it slowly, you might get it.

Mr Marcel Beaubien (Lambton-Kent-Middlesex): You have to read slower.

Hon Mr Stockwell: Very slowly, OK.

If we have that, that protection is put in place. The argument from the other side is, "Oh, no, we don't want that right to strike." That's what I guess the NDP may be saying. And the Liberals, well, I'm not sure, but they'll come up with something. The NDP will probably say, "No, we don't want the right to strike," yet in every other collective agreement, every other piece of legislation, every other thing we bring before this House, it's sacrosanct. They insist there must be a provision to strike. So we've protected that provision in this act. We gave them the benefits of a strike and what you can lever from your employer during a strike period, and they will get those levers.

To me, the only other option is to go to straightforward binding arbitration, which in my opinion serves no purpose. It doesn't reflect a couple of things. It doesn't reflect the economic realities of what collective agreements can lever from employers, and you have one person making a decision, simply because, by going on strike, the economic realities are there. You go on strike and demand certain terms and conditions of your employer.

Interjections.

Hon Mr Stockwell: If you're going to ask the questions, you've got to listen to the answers. You can lever that from your employer. Simply sending it off to an arbitrator provides none of those levers. It's an arbitrated, single-person decision based on submissions from lawyers, which I've heard all the time from the unions they don't like. They don't like that; they want the right

to strike. So I said to them, "If you want the right to strike, I think I can build a piece of legislation which balances both competing aspects: (a) the public's expectation that ambulances will work during a strike, and (b) your ability to lever a good contractual agreement through a strike that's automatically given to you once the strike and collective agreement is done."

That was the approach that we took. I'm very, very disappointed that the opposition parties would think, if this is what they're going to argue, that rather than giving people the right to strike, it's better that we send them off to binding arbitration. That, to me, doesn't make any sense.

1550

For years and years in this province the municipalities that provided ambulance services—I speak of Toronto, for example—worked under exactly this provision. Identical. Exactly this. In instituting Metropolitan Toronto in 1953 and amalgamating the ambulance services from the early 1970s, that's exactly how they did business. The largest municipality in the country of Canada would work out an essential services agreement with their paramedics. The paramedics would give up their right to strike based on the fact that if there was a strike, any collective agreement that was signed would unilaterally be given to them as a pay increase, a benefits increase, holidays, all those benefits that go with the right to strike. That's how the system has worked since the early 1970s in Toronto and in certain other municipalities that provided their own ambulance services.

That was the thought behind this bill. If you're telling me now that it's no longer important—is the NDP saying or will the Liberals be saying that it's no longer important to have the right to strike? Is that not important in this bill? We just want to take these and send them off to arbitrated settlements by one person—who knows who—determining what the pay levels for paramedics are right around the province? Don't let the economy set it. Don't let the strikes and lockouts and negotiating collective agreements settle it. No, don't do that. Just send it off to one person and let them arbitrate it, like that is some kind of panacea, some kind of example of how government should be instituting provisions in legislation to provide people with the opportunity to reach collective agreements.

I don't believe that, personally. I don't think this government believes that. This government also believes in the collective bargaining process. They may have a lot of hoos and haws over there about how we've run the Ministry of Labour, but I'll tell you we haven't stripped one agreement since we've come to office.

Mrs McLeod: You've sure tried—only because we wouldn't let you.

Hon Mr Stockwell: We have not stripped one agreement. I say to the member for Thunder Bay we obviously didn't try hard enough if you suggest we have. My friends in the NDP stripped a number of agreements under the social contract. They stripped collective agreements. We haven't stripped a single collective agreement.

We haven't unilaterally overruled a collective agreement. We have said that when the anniversary of that collective agreement is up, we may make some changes to the legislation.

Another good example is this bill: we're not stripping collective agreements. We're saying in this bill that by passing these ambulance workers and paramedics down, we're going to deem them to be essential. If you have a meaningful right to strike, with literally hundreds or thousands of employees who can go out on strike and they go out on strike, you stay at work. Whatever they collectively bargain, you get.

Now, there are going to be places where we admit there isn't a reason, where there isn't a meaningful right to strike. I'm sure up north I can give you examples—include Toronto. They've got thousands of employees.

Mrs McLeod: Thousands of what?

Hon Mr Stockwell: Thousands of employees.

Mrs McLeod: Thousands of paramedics?

Hon Mr Stockwell: No, thousands of employees. They've got hundreds of paramedics, but they've got thousands of employees. That's the meaningful right-to-strike approach.

Up north, which I was driving at, as an example, say an employee group represents 25 employees or paramedics or an association to the paramedics and they only have half a dozen or a dozen or 20 employees outside of those paramedics. You know what we said? They don't have a meaningful right to strike. There's no point in taking 20 people out and having just as many people go to work, because that's not a meaningful right to strike. We accept that and that's why it was a reasonable approach we took. We said, "Look, even if you went on strike, you haven't got enough people to withdraw enough services that you're going to impact whoever you're trying to impact." Therefore, the paramedics would have to go out on strike. We don't want the paramedics to go out on strike, so we've said that they would be deemed essential and would go directly to arbitration because they don't have a meaningful right to strike.

We've understood that in certain circumstances there are situations where paramedics wouldn't have a meaningful right to strike and the bill reflects that. Speaking as a government member, when we saw the problem with respect to the meaningful right to strike, we dealt with it in the legislation. We said that those ambulance workers, those paramedics will go directly to arbitration. If you have a meaningful right to strike, like Toronto where there are hundreds of paramedics and literally thousands and thousands of union members, so that the thousands and thousands of garbage collectors, water works people, all those people, could go on strike and you could stay at work. That's considered a meaningful right to strike.

I'm slightly aghast that the opposition would suggest—I guess this is what they're going to say. I don't want to portend to read their minds, but I guess this is what they're going to say. They're going to say, "No, we think everyone should go to binding arbitration." I say to the members opposite that you're taking away the funda-

mental right workers have when they organize, and that is the right to withdrawal of services. That seems to be one of the tenets of the labour movement: "We have the right to withdraw our services." We agree that they do. They do have that right. You can't have a meaningful collective bargaining process if one party isn't allowed to withdraw their services and go on strike. We also believe there are certain services provided by the municipalities that would lend themselves to being essential. Paramedics is a good example. They also have these kinds of agreements within municipalities now—waterworks is another one—where a certain number go to work because they deem them to be essential, and they are universally agreed to between the union and the municipality.

All we've said is that paramedics are an essential component. They can't go on strike. But any benefit derived by those workers who go out on strike and withdraw their services will be automatically given to those paramedics who went to work under an essential services agreement. Therefore, we kept to that time-honoured tradition to allow unions to withdraw their services, and at the same time protected the public good so that if somebody becomes sick during a strike, they may expect an ambulance to show up at their door to save their life. I don't think that's an unreasonable approach.

We have also met the concerns without obviously interfering unduly in the collective bargaining process. We've done that also. Listen, if you pull out these paramedics, then obviously the membership rank and file goes down, because you're going to have to hire them off from the local CUPE association. They're going to lose benefits. They're going to lose that pay they receive from them. We'd actually be physically reducing the number of people who belong to a union, unilaterally and arbitrarily. There would be a financial component that would also be applied to the unions, which I don't think they'd like.

We also tried to do this to maintain what we believe to be reasoned and fair. Rather than going through the bill and saying, "This is a meaningful right to strike, this isn't, this is, this isn't, this is" etc, we've said it's up to the Ontario Labour Relations Board. Anyone may file an application—union, management—to the Ontario Labour Relations Board and say, "We don't have a meaningful right to strike. We should go to arbitration." Then we're not imposing our opinion on each and every decision. We're leaving it up to a quasi-judicial, adjudicative branch of labour relations, which I think is another step in favour of the union, because their fear is the government will unilaterally walk in and tell everybody who's got the right to strike and who doesn't. We're not saying that. We're saying it's up to the Ontario Labour Relations Board to determine what they consider to be a meaningful right to strike.

We've also said it doesn't have to be a direct arbitration process. They can also go to a mediation-arbitration process. We've allowed a spectrum of approaches. We've said that if you have a meaningful right to strike and you're an essential service, you don't go on strike,

but we don't make that decision; the Ontario Labour Relations Board makes that decision. We have said if you don't have a meaningful right to strike and you might have to go to arbitration, you can go to mediation and arbitration. We've said the Ontario Labour Relations Board is to decide who fits where and how the process is going to work. We've allowed unions to continue to strike and strive for the benefits that paramedics would get in certain cities that have meaningful rights.

Let me tell you, and understand this, if Toronto went out on strike and drove a tough bargain and that bargain was, say, a good pay hike for them, and that was imposed on paramedics, all those small little operations would derive the benefit of that. Because in the arbitration process, the legal arguments from the union side would be, "Look how much money they're making in Toronto. Our people deserve some portion of that or that much." They would derive benefit because there was a strike and they drove up the settlement. There would be a lot of benefits on behalf of them.

1600

In just a nutshell, the role of government in labour relations is to balance the interests of all affected by labour disputes. The balance maintained by giving employees the right to strike in order to apply economic pressure on employers must be maintained, which we've done. We must maintain a balance that promotes positive labour relations climates in which a majority of the collective agreements are settled through negotiations. That's what we've done.

In a strike vote, parties have to face economic loss and the benefits or the detractions from that. This bill does that.

If one party gains an unfair advantage over the other, there is less incentive to negotiate settlements before striking or returning to the bargaining table after strikes begin. We've also done that in this bill, and it's a positive result. Ninety-six per cent of collective agreements in Ontario were settled without a strike or a lockout. I expect this to be in the same number and same category.

I'll be interested in hearing from the opposition. I'll be interested in hearing what exactly they don't like about this particular approach, because in my opinion it does a very good job of balancing competing interests. The two competing interests very clearly are the public's expectation of essential services through paramedics and the union's expectation of the ability to go on strike when they believe a collective agreement can't be reached any other way.

I'm very proud of this bill. I think it's well designed, well crafted, well written and well thought of. I'll have to hear from the opposition, but my take on this always has been, from the beginning, that we have to do the least intrusive thing we can. We have to be the least intrusive when it comes to entering into the collective bargaining process. That means we've got to have it impact as few members of that collective bargaining unit—while protecting the public. Providing to the paramedics that with a meaningful right to strike they get all the benefits from

a striking union, and if they don't have a meaningful right to strike they go directly to arbitration, is in my opinion the best approach to take. I thank the members for their attention.

The Deputy Speaker (Mr Michael A. Brown): Further debate?

Mr R. Gary Stewart (Peterborough): It's my pleasure to rise and speak on Bill 58. It kind of amazes me with this bill that we're having any debate in this House whatsoever. This is a bill that should be automatically passed very quickly. It's an extension of what already existed there. I guess when we talk about people, people's lives cannot be put at risk. The people of Ontario have to be protected by this type of legislation. As I said, to me it's a fait accompli. The opposition should automatically be saying, "Let's go with it. Let's get it into legislation."

Certainly, if you look at what happened with the transfer to the municipalities of ambulance service—I look at our own municipality as well as many other ones. Before the municipalities did take over, this was not a problem. Now that they have, that's why my suggestion is that it's just an extension or a guarantee of what already existed.

It's interesting because, before the municipalities in some cases did take it over, it was either that they operated it or the private sector operated it or indeed the hospitals operated it. It's interesting to realize that there are a lot of municipalities that are suggesting that the cost factor to take this over is extremely high. It's also a factor that many municipalities did not tender out this process, which in my mind should automatically have been done to make sure the municipalities can deliver the service, can operate the ambulance service at the best possible price and, again, to make sure that what they're doing is no risk for the public.

Certainly if you look at what this bill says, making sure that people get that protection of ambulance service, that it is an essential service. Again I go back to what I said when it was in the hospital sector. Certainly the people who work for the ambulance service, paramedics etc, seem to have no problem with this whatsoever. I don't know why we are trying to create a problem now when there really isn't any whatsoever.

If you look at the bill, and I hope that a good number of the people in this House have read it, to me it's pretty simple and straightforward. If you look at section 4, it is suggesting:

"(1) An essential ambulance services agreement shall,

"(a) set out the number of ambulance workers who are required to provide essential ambulance services"—period, protecting the people of this province;

"(b) provide that the required number of ambulance workers shall continue working during any strike or lockout of employees in the bargaining unit of which they are members"—pretty straightforward, and pretty demanding, I believe, by the people of this province. Again, the ambulance workers worked under this situation when they worked for the hospitals prior to the transfer.

Also, "(d) identify the ambulance workers who will provide essential ambulance services under the agreement and the additional ambulance workers who will be subject to being called in to work under section 5"—again making sure that the services are well covered.

"If there is more than one classification for an employer's ambulance workers, the essential ambulance services agreement shall deal with each classification separately." So there is a built-in situation there that allows for individual classifications.

The other one that I believe says it all is under section 5: "If, as a result of unanticipated emergencies"—and I think this is a concern for any of us and certainly for the people of Ontario—"the number of ambulance workers who are required to work under an essential ambulance services agreement is not adequate to enable an employer to provide the essential ambulance services, the employer may increase that number for a period not to exceed 72 hours to ensure that essential ambulance services continue to be provided." That is the bottom line of this legislation.

As I said, this was done before. To me, it should have been just an automatic changeover without legislation to do it. Certainly, if this bill is passed, the employees who work for the direct ambulance, the municipal operators or the services contracted by municipalities, will be covered by this new act, under which essential service agreements must be in place prior to the right to strike or lockout, and binding arbitration is a later option. I believe it will offer the protection for this. When they were under the jurisdiction of hospitals, certainly it was there and it was done. Why would we not be just continuing to do it? The bottom line is protection of the public.

When you start talking about this particular legislation, and the reason I'm looking at the clock, it's difficult to talk about an act that is so simple, is so necessary to protect the people of this province, for 30 or 40 minutes. How do you knock it? You can't if you have any type of compassion, if you have any type of feeling for the security of the people of this province. To me, we sit and debate and talk about this when basically there should be none whatsoever because, and I'm being repetitive, the bottom line is to ensure public health and safety so that there can't be a withdrawal of ambulance services. That will protect the people of this province.

1610

I would highly suggest that the opposition parties agree with this legislation so that it would pass very quickly and the people of this province will have the protection they need, the protection they want and the protection they deserve. Under this act, Bill 58, I believe that protection will be there.

I thank you, Mr Speaker, for allowing me to speak for a few moments on what I class as a very simple but important bill that is extremely necessary for the protection of the people of this province.

The Deputy Speaker: I should just indicate to the government members that it is very helpful if it is indicated to the Speaker whom time is being split with. As

you know, it's not a requirement that you use all the time. What's necessary to be helpful to the person in the chair is to know who is speaking, and it also helps out the other parties. The member for Northumberland.

Mr Doug Galt (Northumberland): Thank you, Mr Speaker, and I'll apologize for the Minister of Labour, who initiated the debate for this hour. Certainly I can follow your concerns. I believe I'm the last speaker during this hour on the part of the government.

As I start, I'd like to compliment first the member from Peterborough for an excellent presentation on this particular bill, Bill 58—

Interjection.

Mr Galt: Do you speak as well?

Mr Beaubien: No.

Mr Galt: OK—as well as to compliment the Minister of Labour both on his 20-minute presentation and on the design of this particular legislation. I believe it is in fact extremely well designed. To me it is just logical, it's housekeeping and it should go through very quickly.

Just before I really get into my comments, Mr Speaker, I hope you will excuse me if I just speak for a few minutes about the 57th anniversary of D-Day that is happening on June 6.

In 1944, some 150,000 troops left England. Some 2,500 were killed that day in the invasion into Europe, some as young as 18, and indeed this was the start of the liberation of occupied Europe from Nazi Germany. Indeed, we do owe a real debt of gratitude to those young people who fought on our behalf so that we have a country such as we have today that we can be debating an issue such as Bill 58, a bill that's going to ensure that we have the essential services provided by ambulance operators and all those connected with ambulances and that those services won't be lost in such a thing as a strike position. I think the Minister of Labour has come up with some very unique legislation here. There is no question that this government has a commitment to essential services such as this.

I reflect back a week or so ago to when we had a resolution before this House, a private member's bill, and it was concerned with support workers in education, particularly for those with special needs in our education system. He had gone through a bad experience in the Muskoka-Parry Sound area, and in Toronto a similar strike was held. In Toronto the children with special needs were told, "Don't come to school because the workers are not here." They were segregated out, basically, from the other students. In Parry Sound-Muskoka all the schools closed down, so they weren't segregated out. Nevertheless, here was a situation where there were young people with special needs and their training, their education was really interrupted. My understanding is that in some cases it could set them back as much as a year or so in what was being accomplished with them, with the short few weeks' strike that was going on.

When we come to situations like this you kind of get to, what is essential and what isn't? I know in many cases it's subjective, and it might be in the case of support

workers in education, but certainly I don't see this as subjective when it comes to ambulance drivers.

Put yourself in the situation. You're on a highway, there's been an accident, maybe through no fault of your own, and there you are, the ambulance operators are on strike. Any one of us could be in that position on our way home after finishing the sitting of the Legislature this week. I don't think any one of us here would be very happy about that situation. In essence, that's what this legislation is about: overcoming that kind of very, very awkward situation you might have for yourself or for any member of your family or friends that you might have in the community.

We talk about essential services and I look at various services, whether it be teaching—we talked for a moment about the needs of special education and the support workers. But is teaching an essential service, whether it be in universities or colleges or in our public system? Is transportation an essential service? It depends how you look at it. Whether it's moving freight or moving people or it's maintenance of our highways in the kind of weather we have in this country, with ice storms and sleet, is that an essential service? It really comes down to a subjective opinion on the part of this Legislature. I don't think there's any question when we talk about police services, when we talk about firefighters, and I believe as well when we talk about paramedics and all of those that are associated with ensuring that we have ambulances on the road.

As I mentioned firefighters, I was really thrilled last Saturday to be in Harwood at the opening of the new fire hall that I believe holds four fire trucks, and a bay for an emergency boat, half the cost of which was donated by Harris Boat Works, the local Rotary Club has donated \$5,000 and they're fundraising for the other \$5,000.

But I just wanted to zero in for a while on essential services, and I think that's a slam dunk in this case. It's just very, very obvious and, like the Minister of Labour, I'm looking forward to hearing what the opposition might have to say to object to this particular piece of legislation.

It's my understanding that right now we're sort of in the position of an unfettered right that these workers may have to go on strike and shut down that service if they come up to negotiations for a future contract. Again, our government has gone out with extensive consultations on this particular issue, some 18 months ago. It's becoming a hallmark of this government to have extensive consultations.

It was only Monday, I believe, that we had a resolution before this House. The third party wanted to have 80 days of consultation. Well, in their whole five years they barely had 80 days of consultation. The official opposition wanted 370 hours of consultation, when in fact the total when they were in government was 343 hours of consultation in standing committees. That's what I'm referring to right here. They try to embarrass the government on consultations when in fact their record was rather sad on the kind of consultations they had.

I remember the social contract that the NDP government brought in. I recall Sunday shopping. You know, there wasn't a single moment, a single hour, a single minute of consultation, of standing committee on those particular issues.

In this bill there's been extensive consultation with OPSEU, with the Ontario Hospital Association, with the SEIU. They've all had their opportunity, and the general preference was mandatory arbitration. The Minister of Labour, I think, has explained very well why that isn't totally satisfactory. It's one solution, but it has a whipsaw effect as you keep moving up those salaries to the point that someday they might not be affordable.

It's also arriving at a balance, as I see what's happened in this particular legislation, a balance between employers and employees, a balance of their interests. That's certainly important in any kind of legislation when it comes to labour having their rights and their opportunities.

I think this creates a framework that will help to resolve labour disputes in the future and will also ensure that the services will, in fact, be there. There will be conciliatory officers for conciliation purposes. The areas it doesn't cover, of course, are the areas that are already covered under the Hospital Labour Disputes Arbitration Act; obviously we do not need to have duplication.

1620

This is more than just a labour struggle; we're really talking about health care in small-town Ontario and rural Ontario. We're talking about economic development. When it comes to small-town Ontario thinking about putting in or looking at or planning for some industry, for a small plant in a community, whether it be Napanee, Bancroft, Brighton, Campbellford or Port Hope, they're going to wonder, "What are the services?" If there's a lack, whether it be of physicians or ambulance services, that becomes a real concern to industry coming in. Of course the industry is concerned about their employees and what services will be available to those employees.

We think back to 1993 when the brilliant move was made here in Ontario. The problem became physicians. They're the ones who were charging the system and we had to get rid of some of them, so they reduced the number who could enter medical school. Can you imagine anything so silly as to do that, as to reduce the number because they were the problem because they were the ones collecting the money and taking it out of the system? It took six, seven or eight years to reap those results, and we're reaping them here today with a lack of physicians, particularly in rural Ontario. It goes along with health care and with the ambulance services. They're all part and parcel of these emergency services and essential services that are needed.

As to the amount of money this government has put into health care, whether it be ambulances to ensure essential services, whether it be hospitals or whether it be payment for physicians, we're up over a \$6-billion increase. What have our federal cousins been doing? Slashing their transfer payments of health care dollars to

Ontario. Wouldn't it be great if we could get back to the 18% level there was back in 1993? That was the time the Liberals came to power in Ottawa. The Mulroney government was still at 18%. It deteriorated to 7%. That's what the Liberals took it down to: 7% of the health care dollars came from the federal government to help the people of Ontario.

Interjection.

Mr Galt: When? What do we have? In Ottawa, 100 or 103 MPs are Liberals, and that's all the control, all the power they have with the present Prime Minister. I think it's a crying shame that we're caught in that kind of position here in Ontario. I have to admit they let it sneak up. I think it's up around 11% or 12% now, but I challenge them to take it back to the level of the federal PC government at 18%. That would help an awful lot, especially with some of the home care that was mentioned in question period today. The Premier was telling you about the more than \$600 million that it's increased, that is there. What's the federal government been doing? They haven't contributed one single red cent to helping with home care. If they would just come across with that 18% that was there back in 1993, I'm sure we could have some more dollars for the frail and the elderly we want to keep in their homes. That's where they want to stay, with a little bit of extra support, if the feds would only come through.

We're speaking about the essential service of ambulances, and this is just one more aspect of health care that this government is so committed to. I enthusiastically support that commitment.

In conclusion, the bottom line is that if this bill is passed, the public will have continuous ambulance service during a strike or a lockout. The right to strike would still be maintained, but critical services would continue to be delivered. A vote against this bill would place lives in danger, which is why I'm supporting Bill 58 today. I'll be supporting it enthusiastically right through until we accomplish third reading.

The Deputy Speaker: Questions or comments?

Mrs McLeod: I particularly want to address my comments to the opening remarks of the Minister of Labour in introducing his bill, and I must admit he reaches his most persuasive heights when he's trying to sell snake oil.

I couldn't believe the Minister of Labour seemed to be suggesting that paramedics should be appreciative of the fact he did not strip their contracts. It's as if he's saying, "If you don't like this, we'll give you something worse," and that this should be a reason to buy the bill. At least the minister is consistent, because we saw exactly the same approach used when he was dealing with the issue of double-breasting in construction workers' contracts.

I agreed with the Minister of Labour at one point, when he said, "Paramedics are professionals and they don't want to strike," because that is so true. I guess the government feels they're fairly easy targets.

The Minister said, and I agree with this as well, that there are really only two choices here: to declare the

paramedics, ambulance services, an essential service and go immediately to binding arbitration in the event of a dispute, or to protect the right to strike. Theoretically those are clear choices. This government has managed to do neither.

I was interested in the fact that the member for Northumberland, I think inadvertently, indicated that some consultation they carried out actually came down on the side of going to binding arbitration, but that's clearly not what is in this legislation. The government has done neither: protect the right to strike in this legislation, because there is no meaningful right to strike in what is so clearly an essential service and where there is such a scarcity of resources that in fact you cannot pull any of the service off without jeopardizing service, so they haven't protected the right to strike because there is no meaningful right to strike; nor have they provided a fair dispute resolution process through the arbitration process. The Minister of Labour said, "You wouldn't want to go to binding arbitration, because it doesn't serve a purpose." He actually said it doesn't serve a purpose, because it does not respond to the economic reality of the employer.

I can tell you that under this government's legislation any arbitration process does deal with the economic realities of the employer, and under this legislation even more so.

Mr Peter Kormos (Niagara Centre): I've only got two minutes, I suspect I'm going to have an hour to speak to this bill, perhaps even as early as tomorrow.

New Democrats are opposed to this legislation, and quite frankly we're going to do everything we can to make sure this government has to do everything it must, as it tries to force this legislation through this chamber. This is an attack on some of the most committed professional people we have in our province.

It's marching orders from AMO to the Minister of Labour and Mr Harris, who are all so eager to comply. They're like that little dog in the old RCA Victor ad, with the Victrola and the little dog sitting beside the Victrola and underneath it it says, "His master's voice." Well, the Minister of Labour is following marching orders and in this instance, like in every other instance, it's workers who get the boot. In this instance it's ambulance workers, it's paramedics who get beat up on.

This Minister of Labour has no respect and no regard for the professionalism of those paramedics across the province. This Minister has no regard for the fact that no worker, least of all paramedics, takes any strike action lightly. This Minister cannot identify a single situation in Ontario where any paramedic has ever jeopardized the safety or welfare of any member of any community.

I defy this Minister, during the course of his insulting attack on paramedics, to tell us what this is in response to, other than yet another tool for the municipal tool box, because this government has downloaded mercilessly on to municipalities, creating property tax increases of 5% to 10% across the province, including the communities I represent in the Niagara region. This government is providing yet another tool in the toolbox.

Unfortunately the people who are going to get ratcheted with this tool are paramedics, who deserve far better and deserve far more respect than this government's giving them.

Mr Beaubien: It's a pleasure to respond, especially to the member from Welland-Thorold when he's talking about this as a vicious attack on paramedics. I find it very disturbing that he would take this type of position, especially today when they were questioning about hospitals and the backup in emergency, and then all of a sudden they're not concerned about this vital service provided by these dedicated, well-trained individuals to make sure that there is no disruption in health care services, especially the emergency services in Ontario.

I wouldn't expect anything else when the member from Welland-Thorold says, "We'll do everything we possibly can to stop this piece of legislation and to make this government go through all the hoops and processes," because basically that is why you're still struggling with 8% and 9% of support in the province of Ontario. That's why there is a problem. That's why people in Ontario cannot see fit to support you people. With that type of support, no wonder you've got this type of attitude. It's totally irresponsible.

1630

Mr Kormos: Click your heels and put on your arm band.

Mr Beaubien: That's right. That's the only way you can respond. The only way you can respond is to do a personal attack on somebody else. That's the only defence you have, because you cannot defend the position you've taken as an individual, as a member of Parliament and as a caucus member.

Interjection.

The Deputy Speaker: Order. The member for Niagara Centre will need to withdraw.

Mr Kormos: Withdrawn.

Mr Beaubien: When we make comments like the member just made, I find it very abhorrent. I look at it as a personal attack, and that's the only tactic that these people can use in order to try to put their point across.

Interjections.

Mr Kormos: You're a moron.

Mr Caplan: I find it passing strange to watch members of the government skate one way and the other—

Hon Frank Klees (Minister without Portfolio): On a point of order, Mr Speaker: I take personal affront to the member from Welland, who has just referred to a member of this place as a moron.

The Deputy Speaker: Order. He has withdrawn.

Hon Mr Klees: On a point of order, Mr Speaker: This was just spoken after he withdrew the first comment. I'm referring to a second incident.

Mr Kormos: This time I was talking to him rather than to Mr Beaubien, and I withdraw.

The Deputy Speaker: Thank you. I'm sorry, I did not hear the comment.

Mr Caplan: It's amazing to watch members of the government skate back and forth. It is absolutely

phenomenal. Protect workers' rights, on the one hand? This government has brought in more back-to-work legislation, more attacks on the collective bargaining process, than any government, including the third party.

Hon Mr Stockwell: Such as?

Mr Caplan: "Such as?" Come on. You cannot be serious. Such as Bill 148, Bill 69, Bill 55. This is all a matter of record.

Hon Mr Stockwell: You don't even know what they did.

Mr Caplan: Absolutely. I say to the Minister of Labour, for you to stand in your place and say, "We believe that through collective agreements, through collective bargaining and strikes you can get the best economic benefit for your members, but in this case we're going to sort of make you an essential service and sort of not," essentially what you're doing is placing people in an impossible situation where they don't have the benefit of real collective bargaining, where they don't have the benefit of being an essential service and going to arbitration. You've placed them in an impossible situation. You really need to have a definitive position. You can't have your foot on both sides of this argument.

I say to the Minister of Labour, listen, my friend, go get some pins and try to dance on the head of those, because there's absolutely no way that you can find any justification in economic arguments, labour management arguments or collective agreements for what's taking place in this particular legislation. Nobody agrees with this. You may be able to get a few of your backbenchers to stand up and say, "This should be a slam dunk, this should be easy," but nobody else is saying that. Produce one other person, anywhere in the province, who has done that.

The Deputy Speaker: Response, the Minister of Labour.

Hon Mr Stockwell: Sometimes the opposition obviously has the responsibility to oppose, and I think on this one they are taking that responsibility. They are opposing what I think is a rational approach to this collective bargaining. I guess you've got to accept that. There isn't one sensible argument they have made.

The member for Don Valley East quoted a few bills that he clearly hasn't read, because he couldn't give me one example where what we did was breaking down the collective bargaining process. He just invokes those. It's by rote; Pavlov's dog. He just shouts out the number without any content, which is humorous, to say the least, because I say, "Well, give me an example," and he barks out a number. He doesn't know what that number means, he doesn't know what the bill did; he just barks out a number.

The member from Welland said, "Give me an example." The last time the city of Toronto went on strike, the paramedics were going. They were going on strike, the member from Welland. I guess you just didn't know that. You just didn't know that, did you? The local CUPE members said, "The paramedics will go out with us."

We have to deal with that. You can't be irresponsible like you. You can't be irresponsible and just do something after they're on strike and people die. We don't have the luxury of being as irresponsible as you. We don't have the luxury of standing in this place and calling people names. We don't have that luxury. Only you have the luxury of being that irresponsible, that would allow paramedics—

Mr Kormos: Yes, you kill them first. Nobody was on strike in Walkerton.

Hon Mr Stockwell: This is what I get from him. Nobody has that kind of irresponsibility but you and possibly the Liberals. "Don't worry about it. Let them go on strike. A few people may die and then we'll deal with it, because we've got to protect the collective bargaining process and right to strike." If you want to be that irresponsible—not surprisingly—go ahead. I don't. People have an opportunity—

Interjection.

Hon Mr Stockwell: Mr Speaker, I don't know, when I say "boo" you call me to order. He hasn't stopped talking.

When I go in to work, I expect that paramedics would show up should someone have a heart attack. I don't think that's an unreasonable request by the citizens. I expect them to do that and I'd be surprised if you'd be opposed.

The Deputy Speaker: Further debate?

Mrs McLeod: I should indicate at the beginning that I am going to share what time we have with my colleagues from Hastings-Frontenac-Lennox and Addington and Don Valley East.

Before I get into the substance of my remarks, I must say it was really a tour de force to watch the Minister of Labour attempt to muster arguments in defence of this absolute farce of a bill. I think he reached his height, though, or maybe he went over the edge, in his opening comments, when he seemed to be suggesting that one of the reasons paramedics should be grateful for this bill is because he didn't strip your contract before he transferred your employment to the municipalities. That's become the standard, for the Minister of Labour in the province of Ontario to say to people who are employees, "Be glad we didn't strip your contract." It very much reminds me of what this same Minister of Labour was saying to construction workers when he wanted to bring in double-breasting. He said to them, "You'd better take this, because if you don't like this one we'll bring in something that hits you even harder."

I think the paramedics of this province know that this government could not have hit them any harder and, believe it or not, since the government has off-loaded the responsibility for ambulance services to the municipalities, it's too late for the Minister of Labour to strip their contracts now. He has lost his key card to say to paramedics, "You should be grateful for this farce of a bill."

Let me say right at the beginning that we oppose this bill because it does not do what we believed was

necessary in September 1999, when, as the Minister of Labour just finished saying, we were on the verge of a paramedic strike in the city of Toronto, which would have crippled an essential service, regardless of any essential service agreement that could have been made. Dalton McGuinty, the Leader of the Opposition, called then on this government to make paramedics across this province an essential service and to give them a fair dispute resolution process through binding arbitration.

We've staked out what we believe is the answer that the Minister of Labour says is needed. I say to the Minister of Labour that I wish he had had enough courage, or at least had been willing to set aside what I truly believe is his government's constant agenda of union-bashing and stripping away any fair collective bargaining process, long enough to bring forward today true essential services legislation with a fair dispute resolution process. But that is not what we have before us.

This government has put this legislation forward saying that they are putting public safety first. It's ironical, because if you talk to the paramedics and you talk to their legal advisers who have interpreted the bill in the detailed way the Minister of Labour has called on us all to do, the paramedics will tell you that this bill not only does not protect public safety; it jeopardizes public safety. It jeopardizes public safety, because it requires that paramedics go on strike before they can even ask for arbitration to resolve a dispute. If the Minister of Labour wants numbers, let him look at page 9 of his bill, subsection 18(1), clauses (a) and (b) and then subsection (2), where they can only go to the labour relations board to look for a declaration that there is no meaningful right to strike once there is an essential services agreement in place, and the board can only rule on whether or not this can go to arbitration, as it says in subsection (2), if "sufficient time has elapsed in the dispute between the parties" to make the declaration of no meaningful strike a possible ruling for the Ontario Labour Relations Board. This government is just playing games with the important issue of the public safety of the citizens of this province when it comes to maintaining essential ambulance services.

1640

The minister has made it very clear why they weren't prepared to actually bring in essential services legislation: because he's not prepared, as this government is never prepared, to provide for fair dispute resolution through a fair binding arbitration process. I'm going to spend some time on that before I conclude my remarks today, because I think it is part of a process that this government initiated way back in its first big omnibus bully bill, Bill 26, when they started controlling the rights of public arbitrators to make fair settlements. They've taken it to a new height in this bill, and I definitely want to come back to that.

Before I get into the arbitration process, I want to spend some time making it absolutely clear to the Minister of Labour, to the people on the other side of the House and to anyone else who's genuinely concerned

about the protection of public safety and ambulance services why there is no meaningful right to strike in this bill. You will be aware that what the minister is saying is, "Well, we've protected essential services because you have to negotiate." Paramedics have to negotiate with their employers the essential services agreement. The essential services agreement will determine how many people can go out on strike without jeopardizing the public's safety. Now remember, we're talking about ambulances here, and I ask you, I ask any member of this House, to tell me how any municipality, how any employer is actually going to negotiate a withdrawal of ambulance services. There will be no essential services agreements, certainly not ones that protect the public safety.

I look at my home community. Do you know how many ambulances we have on call overnight? We have three ambulances. We're already getting letters to the editor on a regular basis saying that you cannot get the ambulances to respond in a timely way because we don't have enough ambulances.

We hear regularly from municipalities that say they don't have enough ambulances to handle emergency calls because their ambulances are tied up doing equally important transfers between hospitals. We know, for example, that here in the city of Toronto there are at least two dozen calls a day to transport people from the helipad at Sunnybrook hospital or the Hospital for Sick Children to the hospital where they can get the most appropriate care. These are not non-essential transfers. You can't leave somebody who's critically ill, who's come in in a helicopter, sitting on a helicopter pad waiting for an ambulance to come and take them to a hospital to get care. There is nothing non-essential here.

I submit to you there is nothing non-essential when on one side of the city, in my community, somebody has come in from a car accident with a brain injury and needs to have instant neurosurgery—and thank God in Thunder Bay it's one of the critical services we can provide—but it's provided at another hospital site, and the ambulance has to transport that person from one site to another to get neurosurgery, and it's a matter of minutes. You can't not transfer a patient between those two hospitals, because it is an emergency service.

I would submit that you can't withdraw the ambulances that are going to transfer people from a nursing home, where an 85-year-old woman has had a stroke and needs to be transported to an acute care hospital to get care. That's not a non-essential service.

So exactly what non-essential parts of the service is any employer going to agree to withdraw in order to reach an essential services agreement? I would suggest that if any employers attempt to reach an agreement on what services can be withdrawn, they will be doing so in jeopardy because they are jeopardizing the safety of the citizens they represent.

The simple fact is that ambulances services, paramedic services, are essential. That is why the call that Dalton McGuinty made in 1999 to bring in essential services

legislation with a fair dispute resolution process that involved binding arbitration is the only way to go. I well remember that city of Toronto strike, and it set off alarm bells as well it had to. It was proposed then that there should be essential services. The union wanted to be declared an essential service.

I was intrigued with the fact that the Minister of Labour in his opening comments suggested that the paramedics actually wanted to protect the right to strike. That may theoretically be true, but it would have been a meaningful right to strike that they might have wanted to protect, if in fact that's the case, and certainly not this totally meaningless piece of legislation that they've been confronted with.

I'm also intrigued with the fact that the member for Northumberland in his comments seemed to indicate that the consultation that the government had done did in fact come down on the side of essential services legislation with binding arbitration built in. Clearly, the government rejected that consultation and, as we know, they rejected it because the Minister of Labour, backed by his government—I recognize he's not alone in this—rejects the concept of fair arbitration as a way of resolving disputes.

I do want to touch on the fact that this legislation doesn't provide fair collective bargaining conditions. It doesn't provide a framework for reasonable collective bargaining at all. Neither does it provide the same kind of collective bargaining conditions as are provided to other medical attendants or to other paramedics who work for hospitals. If nothing else should say to the Minister of Labour that this legislation is wrong legislation, it should be the fact that it is completely different in what it provides than is now provided to other paramedics and emergency medical workers who work in hospitals and who are essential services workers and who do go immediately to binding arbitration in the event of a dispute.

This is a central point, because I know that one of the goals of this government has been to try and get the essential services workers, the paramedics, the ambulance services, out of the hospitals, out from under the act governing the hospitals so that they are not governed by binding arbitration. Well, they haven't been able to do that, so they, in typical fashion, have found another way, a back-door way, to break the back of the unions who represent paramedics who work in hospital settings, because that is certainly another intent of this resolution. Far be it from me to suggest that the Minister of Labour is simple and straightforward in presenting his legislation. There is layer upon layer of agenda which this government is advancing in this one seemingly simple bill.

I suggest that when the government says that the goal of this is to avoid labour disruptions, the only way this bill is going to serve to avoid labour disruptions is in making a strike absolutely impossible. In that respect the legislation is probably effective, because I don't believe you can withdraw ambulance services through that essential services agreement, so I don't think we will be seeing strikes under this legislation. So give the minister that.

Maybe he's found a way to avoid strikes because, as he said, paramedics are professionals; they're not going to wildcat strike. But he's done it without being willing to be fair in any way to the professionals whom he has said he respects.

There's an added offence in this bill. There's an added offence because there's a section of this bill that says that if you do decide that you can withdraw a given number of paramedics from their essential service, if those few people can be withdrawn and can actually go out on strike, they can be replaced. Is this the son or the grandson of Bill 7, when this government repealed the NDP legislation that prevented scab labour—to use the appropriate term, the use of replacement workers? I can't remember how many pieces of legislation have come since Bill 7, so I don't know whether it is the son or the grandson or the great-grandson, but it is certainly part of the pattern.

In this case, it's just simply offensive, first of all because there aren't going to be strikes under this legislation, because you can't withdraw the services. There won't be anybody in that defined targeted pool that is deemed to be non-essential and allowed to go on strike. Second, even if you found a group of people and you said, "OK, maybe we can do without your services for a little while," the employer is then permitted under this legislation to bring in replacement workers. Do you know what? There are no replacement workers for trained professional paramedics. Trained professional paramedics are a scarce resource. You can't just go and bring somebody off the street who can drive a truck and say, "OK, you're an ambulance driver for the duration of the strike." These are medical practitioners—fully trained, qualified. They don't grow on trees. They're not waiting on an on-call list ready to be brought in by the government as replacement workers.

1650

The fact that there can be literally no work stoppage under this bill makes a farce of a bill that stands in the name of collective bargaining legislation. There is no balance of employer-employee interests in the collective bargaining process, as the government claims. There is no balance here at all.

I submit to the government that if you are serious about avoiding labour disputes involving paramedics and our ambulance services, then you want to have a fair collective bargaining framework. Where there is no balance between the employers and the employees, you have a recipe for continuous labour disputes at the local level.

There's a very serious consequence. The government may say, "Who cares? Let them fight it out. We've transferred the responsibility for ambulance services to the municipalities. It's not our concern any more, so let the paramedics fight it out with the local municipalities. Why should that worry us?"

I suggest to the government that there is a very serious danger here. If we operate our ambulance services in an atmosphere of continuous labour disruption and disputes,

whether it means strike or whether it's just ongoing conflict and dissatisfaction, there will be one inevitable consequence, and the inevitable consequence is that we will lose paramedics. We will lose them to the United States, we will lose them to other provinces, and we will have the same kind of shortage of paramedics, essential service medical workers, as we have of doctors and of nurses. We will soon be in the position that we're in with nursing staff and home care, where with the scarce resources the home care system has, they say, "We can't even use those resources because we can't get enough nurses."

What happens when we reach the point in this province where we can't run ambulances because we can't get enough trained paramedics? If the government wants that kind of consequence, then let them be accountable to the Ontario public for jeopardizing their safety in these critical areas. But as I say, this government probably won't bother caring, because they have dumped the total responsibility for our ambulance services on to employers, and what this bill does is dump the total responsibility for any collective bargaining on to the employers and employees at the local level.

I suggest to AMO, the group that the minister says supports the bill—and I accept that to the extent that they may think this bill works in their interests—I suggest to the individual municipalities that will be caught up in the disputes that are an inevitable result of this bill, that they are as trapped in this bad legislation as the paramedics themselves. I suggest that this is a no-win situation both for the municipalities and for the paramedics, and it is certainly a lose situation for the citizens of this province.

The reason I say this, and I want to be absolutely clear about this, is that what this government has done is to say to the municipalities, "You're responsible for ambulance services and, by the way, you're responsible for 50% of the cost of funding ambulance services." They wanted to make it 100%, backed off and decided they had to pay 50%, so they were seen to have some token responsibility for providing an essential medical service in this province. Now they're saying, "Not only are you responsible for the administration of ambulance services, municipality, not only are you responsible for 50% of the funding, but you are also responsible for hammering out at a local level what your agreement is going to be."

They have not said to the municipalities, "Whatever your agreement is, we of course are going to be there at the table with 50% of the cost." I don't believe that this government will ever be at the table with 50% of the cost of a local agreement that has been reached under this piece of legislation. I truly believe that what this government will do is to bring in some kind of single standard—eventually they're going to bring in some kind of single standard—for ambulance services, particularly for response times, for the numbers of paramedics you need and for levels of training. When they bring in that single standard, they're going to say, "Here's 50% of the cost of meeting that standard," and it will be a provincial template—that's the term they use—a funding template to go across the province.

So when Durham region reaches an agreement with its paramedics that is higher than the agreement in Halton county, does the province come and say, "Durham region, we're going to help you out. We're going to pay 50% of the additional cost of your contract"? Not on your life. There's no precedent from this government at all.

What the government has successfully done here as well is basically walked away from any responsibility it has to maintain 50% of the costs of collective agreement settlements, whether they come through a lengthy process of friction at the local level or eventually through hard-won arbitration.

The municipalities should be very wary of this government when it comes to ambulance services and funding. This is the government that dumped ambulance services on to the municipalities. This is a government that wanted municipalities to pick up 100% of the cost of ambulance services even though they had no idea what those costs were going to be and even though they knew that ambulance services in this province were already well underfunded and failing to meet reasonable response times. This is the government that is still not ready to fund 50% of meeting a reasonable standard.

When this government said it would pick up 50% of the costs on an interim basis, do you know what level of funding they chose to give? Fifty per cent of the cost of the service that was being provided at the time that the transfer was made, that the downloading took place. Let me tell you, as of 1999, the most recent figures from the Ministry of Health, 28 out of 49 municipal districts, regions in this province, were not meeting even the outside limits of what's considered an acceptable standard and in fact would have been an acceptable standard for response times in 1996; 28 out of 49 municipalities are way below what would have been considered acceptable in 1996. I'm not talking about outside limits; I'm talking about the rural edge. Fifteen minutes is considered an adequate response time if you're in a rural area. If you're in an urban area it should be within nine minutes. If you're in a semi-rural area it should be 13 minutes. But in the rural areas they say 15 minutes. So let me tell you some of the response times: Bruce county, 20.4 minutes; Haliburton county, 24.36 minutes; Lennox and Addington county, 24 minutes; Parry Sound district, 25 minutes; Sudbury district, 25.4; Timiskaming district, 20 minutes. That's what this government is funding 50% of right now—a totally unacceptable non-standard.

They're supposed to be coming up with a template to reach a new standard. We can only hope that the new standard may at least be the standard that was required in 1996, but we don't know that yet. We're six months into the transfer period and we still can't get any information as to what the standards are going to be or what 50% of funding is going to look like coming from this government. But I can tell you one thing we know for sure: the municipalities, when they took over the service on January 1, were required by this government to maintain 1996 service levels, to meet that standard. The government is only funding the pre-assumption levels when

they took over on January 1. As I've just said to you, 28 out of 49 municipalities are nowhere near the 1996 standard, but the municipalities have to provide the 1996 standard, and to the extent that they've been able to do that, and most haven't, they're doing it at 100% of their own costs. There are in fact municipalities which have said, "We can't live in our area in good conscience with the level of service that we're providing," and they have opted to increase the level of service and again they're doing it at 100% of their own costs.

I would say to the municipalities, be wary of this government, because they have not come to the bar with reasonable funding for ambulance services to date. They are not going to be coming to the bar when this legislation results in a whole hodgepodge of settlements across the province and municipalities come to them and say, "But you owe us 50% of the costs," and the government says, "You're getting 50% of what we agreed on. What you did in your collective bargaining process is up to you."

I would like to go on about the state of ambulance services in the province of Ontario and the way in which our ambulance services have been compromised by this government's refusal to provide adequate funding for emergency medical services, and that would take me into hospital funding. We had a question in the House today prompted by yet another inquest that's going to be done into a death that took place in a Toronto hospital, in fact in a Toronto ambulance, because the paramedics were not able to take that individual into a hospital to get care. The reason for that, the reason for emergency overload, for the fact that hospitals have been on critical care bypass—in March of this year, in spite of the fact that the previous Minister of Health said about four times that she would fix the problem once and for all, the critical care bypass was worse than it had been in any previous month in the history of this province. It was four times worse in March of this year than it was in March of the previous year. That's this government's idea of fixing a problem once and for all.

1700

The reason we've got this problem is because we don't have enough hospital beds. There is no place to take the people out of the emergency and give them care in hospitals. So they stay on stretchers in emergency room hallways and emergency room doctors say, "We can't take anybody else because we can't provide the critical care that's needed."

Just as an example, Mr Speaker, can I tell you that in Toronto alone there were 10,745 lost paramedic hours last year, at a cost of \$1.8 million in direct costs and overtime replacement costs of \$2.7 million? Can I tell you that the city of Toronto has 90 ambulance units, but there are only 10 available for emergency calls, and that's to serve 2.5 million people over an area of 647 square kilometres? The Minister of Labour says, "It may be a problem in northern Ontario, where you don't have enough paramedics, but in Toronto they've got hundreds of paramedics." With 10 units available in the city of

Toronto for emergency calls, which one of those 10 units are you going to pull off under an essential services agreement? The Minister of Labour should talk to the people in the Ministry of Health and get his facts right about the scarcity of ambulance resources in this province.

I'm going to slip by this government's approach, because they're going to try and deal with that problem by simply saying, "You can't go on critical care bypass any longer." They're just going to make a rule, "You can't do it." It's going to make the problem worse. It's going to mean that paramedics are going to be waiting in parking lots even longer and it's going to mean we have even fewer ambulances available for emergency calls. So this problem is not going to get better; it is going to get worse. It is typical of this government's approach that they would rather hide a problem than deal with it, in the same way it is typical of their approach that they'd rather off-load a problem on to municipalities than actually take some responsibility for dealing with it.

I just want to spend a couple of minutes, with my colleagues' indulgence, on why this government has refused to go the route of binding arbitration. It is so clearly because this government rejects any kind of arbitration process which they cannot control almost totally. We saw the beginnings in Bill 26, where they directed, through legislation, that any public sector arbitrator would have to take into account ability to pay, and public sector arbitrators said, "No public sector arbitrator is going to be bound by those kinds of legislative conditions." So it became difficult to get qualified public sector arbitrators. The government decided they could appoint retired judges, their own appointees. They've had some problems with this. In fact, I think they lost a court case over this.

They've had to come back with this legislation to take the restrictions on an arbitration process to even newer heights, because in this legislation the government gets to appoint the arbitrator. The parties have to apply for arbitration. If the parties can't agree on an arbitrator, the Minister of Labour gets to appoint the arbitrator. That's if both parties can't agree. So, needless to say, the Minister of Labour is going to be looked to quite frequently.

When the Minister of Labour appoints an arbitrator, they've made it clear in this bill that you cannot challenge that appointment in court. If the government loses a court case, what do they do? They don't deal with the intent of the court's direction; they simply change the legislation so that the next time they appoint an arbitrator you can't challenge it in court.

With all of these controls, that wasn't enough for the government to go to binding arbitration. In fact, even though they have virtually taken the route of binding arbitration away in this legislation as a way of solving disputes, they felt the need to add a new criterion for arbitration. The new criterion is that in the event that one of these disputes gets to arbitration, the arbitrator must look not at the employer's ability to pay and all of those other factors; they also have to look at the costs that

private employers are experiencing—again, another layer of the government's agenda.

The hope obviously is that they will be able to drive paramedic salaries to the lowest possible denominator. I don't think that's going to happen, because paramedics are a scarce resource and people are actually going to have to start bidding higher to keep the paramedics. One of the things we're going to have with this legislation is competition between regions for paramedic services. But I think that's part of the government's hope. If you can look at the private sector operators rather than the hospital-arbitrated award for paramedics, then you're going to be able to get the lowest possible denominator for paying paramedics. That's their hope.

Their second hope is that if they can drive the paramedics' wages lower in comparison with the private sector, if the private sector is lower and the arbitrator should find that something beyond the private sector lowest bottom denominator is an acceptable settlement, then municipalities are going to say, "Wait a minute, the private employers are paying less," and this opens the door to further privatization—yet another layer of government agenda.

I've already suggested that this bill allows for different ways of approaching collective bargaining for what are truly essential services, and that's paramedics providing our ambulance services. I would also suggest that this legislation is totally different from the legislation that covers other essential health care workers—nurses and emergency workers in our hospitals—police and fire.

I would submit this afternoon that this government should go back to the drawing board. They should recognize that ambulance services, the services that our paramedics provide, are indeed essential services. They should be prepared to treat paramedics in exactly the same way that other essential service workers are treated, whether it's police or fire or emergency medical workers in hospitals or nurses in hospitals or paramedics in hospitals. Treat them exactly the same way and provide them with a fair dispute resolution process through binding arbitration. If the government takes this legislation away and brings back truly essential service legislation, we would be more than happy to support that kind of bill.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I'm very happy this afternoon to be able to make some comments following my colleague the member from Thunder Bay-Atikokan, who I believe has made some very salient points about the bill we are debating this afternoon.

When the Minister of Labour provided his interpretation, in his rather flamboyant style, of why the government has presented the bill, he indicated that he was very interested to know how the opposition could possibly not agree with what the government has presented in the Ambulance Services Collective Bargaining Act. I hope that members of the government are listening very carefully, because I believe the points my colleague made were made very well and deserve attention and action by way of amendment.

The member from Thunder Bay-Atikokan made reference to the fact that the Liberal Party of Ontario, my leader Dalton McGuinty, is on record saying that ambulance services and paramedics should be declared an essential service—in a meaningful way, not the way this bill would have it done. I find it interesting when I review the explanatory note of the bill; in the body of the note it indicates, "The agreement would require that essential ambulance services continue to be provided during a strike or lock-out." That is really the only reference made to "essential." They talk about the essential ambulance service but not that the workers be considered essential.

It's difficult, I'm sure, or confusing for members of the public who might be watching to perhaps distinguish the significance of that wording. What the government is saying is, "We believe that ambulance services are essential, but we're introducing legislation that will all but declare that the workers are essential. We're providing legislation that will enable some of them to go on strike, but we're going to make sure the service continues."

For me, the question I have is, what advantage is that, then, for the people who are on strike? What hammer is there for them in terms of their ability to negotiate a fair collective agreement for their employees when services to the public continue? That's sort of the whole purpose of the strike, that "I provide a service to you. I need to have you understand that the work I do is very important, and until we reach an agreement I'm going to withdraw that service." That certainly does make an employer pay some particular attention to the issues I'm bringing, and usually it precipitates an agreement in a rather swift fashion. But I would suggest that if paramedics don't have that advantage of the removal of their service—and I'm not suggesting that there should be the removal. I am suggesting that it places the paramedics and ambulance service workers at a significant disadvantage.

1710

I'm also concerned by the fact that those people with the same qualifications who would be employed at a hospital would not be caught with this legislation. So there is an inequity even within the field.

The Minister of Labour suggested that the right to strike is seen as very sacrosanct by the members of the government, and certainly the members of the Liberal Party would agree that the right to strike is very important. But we also recognize that there are certain service sectors within the province that provide essential services to the people where those services should never be interrupted, where the people of Ontario should be able to enjoy the confidence, the comfort and the understanding of knowing that at any time, should they need to access the services of a police officer, of a nurse, of a firefighter or of an ambulance driver—I would suggest that an ambulance driver falls into the same category—they will be able to access that service.

But this legislation does not place paramedics, people who work in ambulances, on that same playing field. It differentiates. It says that for policemen and police-

women, for firefighters, for nurses, if there is a dispute with regard to their compensation, binding arbitration occurs. Paramedics have indicated that they would like to be considered in the same way.

I find it interesting when the members of the government, the Minister of Labour, would say, "We've had consultation." The member for Northumberland talked about this government's record on consultation. I think it's important that the people of Ontario understand that they will have consultation. They're very, very selective in terms of what information they consider and in fact actually implement in any legislation. I find it interesting that they're very brave to consult and say, "We're considering introducing legislation. Tell us what you think," and then they go back and write their version of what they heard but then they're very reticent. In fact, they usually do not allow public consultation on bills after they've drafted them, when there could be some really meaningful consultation, when people who would be affected by the legislation could come forward and suggest to the government that this particular section is going to be problematic, and these are the reasons why and these are the areas how.

The government is very brave to have consultation before there's anything concrete put in place. They go away, write the legislation, come back and say, "Here it is and we consulted. You really can't find fault with it, because we've gone to the people in the field and this is what they tell us they want." Well, it's the government's version of what they've heard. What we hear from people who would have participated in those consultations would be, "They haven't considered what we've asked them to," or "This does not reflect what we believe is needed within our communities."

So I think the government needs to understand that what they've presented in this legislation, number one, is not what paramedics in the province of Ontario want. You would suggest that the labour movement would be in favour of this because this somehow protects the right to strike. It's interesting that that's not what we're hearing from the people who are actually in the field. We hear members of the government talk about public safety and that they're bringing the bill forward to ensure public safety with respect to providing ambulance services within Ontario. There's no question that in the event that there would be ambulance strike, that would certainly jeopardize lives. I would remind the members of the government that today your policies are endangering lives of people. Read the newspapers. People are dying in ambulances in parking lots across the province because they are not able to get into the emergency rooms; they're full. They're not able to access a hospital bed.

So if you really want to address the issue of safety, then I would suggest that you consider the policies that you've driven, that you've crafted, that have resulted in the serious shortages within our hospitals.

Interjection.

Mrs Dombrowsky: I hear the member from Northumberland making some comment over there and I have

to say I was really interested when he was talking about history and history of other governments and where they've made cuts and how inappropriate cuts in health care and how inappropriate that would be. You know, Mike Harris fired 8,000 nurses and now we have a chronic crisis, a nurses' shortage in the province.

In fact, in the hospital in the member for Northumberland's riding, they've had to close 10 beds because of the nurse—

Interjection.

The Deputy Speaker: Order. The member from Northumberland is not in his seat and he will come to order.

Mrs Dombrowsky: In the hospital in Campbellford they've had to close 10 beds because they can't find nurses to work in the hospital. So when we want to talk about responsible actions, I would hardly think that firing 8,000 nurses, and now hospitals are dealing with staff shortages, has been very prudent.

Mr Stewart: How can you say that?

Mrs Dombrowsky: I say it because it's a fact. The member from Peterborough is challenging that the government has fired 8,000 nurses. I believe that's a matter of public record.

I find it interesting now that he can protest. It's unfortunate he didn't protest at the time they were fired.

Interjection.

The Deputy Speaker: The member for Peterborough will come to order.

Mr Galt: He's in his seat.

The Deputy Speaker: He may be, but he may not be for long.

Mrs Dombrowsky: I was also intrigued with the member from Peterborough's comment about the fact that he thought some municipalities had been not so responsible because they hadn't tendered their ambulance service.

That strikes me as so very strange, because ambulance service is such a specialized service. When I consider the idea of looking for the very best price for health care services within our community and I consider what this government has done in the area of community care, and the fact that we've had requests for proposals that have sought to provide health services in the most cost-effective way, what in fact that has done is it has virtually decimated the community health service sector because it means that the service providers do not have the same kinds of resources that institutions have to compensate the health professionals in the same way.

We see community nurses leaving in droves; we see situations across the province where CCACs just don't have the person power to look after people once they've been discharged from hospitals. The result of that is that people have to stay in hospitals, at a much higher cost, when they want to and should be looked after in their homes.

Now we have the presentation that "Maybe that's how we should be contracting or engaging our ambulance services within communities as well." I would suggest

that any move in that direction on the part of municipalities would relate to the idea that you get what you pay for; that in a very short period of time, with that kind of a race, that kind of a competition within the community, paramedics are going to find better-paying jobs in other centres, in other jurisdictions, and maybe even in other countries. I would caution municipalities across the province who now have the new responsibility of negotiating these service agreements for the people they represent that they have been placed in what I would suggest is a very untenable position.

With regard to the issue of scabs, my colleague from Thunder Bay-Atikokan has, I think, very adequately and appropriately indicated that this is quite unacceptable. Again, it suggests that there are a number of people who are qualified within the community of offer these services. We're talking about very specialized services. I know within my community—in the Denbigh area, for example, it's very difficult to engage people who are qualified to assist a volunteer ambulance service there.

To suggest that, "If there's a labour dispute, we'll simply hire some people to come in and ensure that service takes place," I think is totally unreasonable and reflects the fact that the government really isn't in touch with the people in the field who understand that these are well and highly trained people and there are not numbers of them available to be contracted in this way.

1720

I know my colleague the member for Don Valley East has some comments to make on this very important piece of legislation as well, and I'm going to conclude now by saying to the government that when the minister opened the debate on this bill today, he indicated that he was very curious and interested to hear what members of the opposition would have to say on this. He suggested, and it's so regularly suggested by members of the government, that in the opposition we just stand up here because we're the opposition and we make statements because we're told to. That's not the case at all. We're committed to the safety of the people of this province. We're also committed to the very fine and qualified professionals who provide those services. We're listening to them. What you are hearing from us is what we've heard from the grassroots.

I would ask that the members of the government listen intently, respect and act on some of the ideas and suggestions that have been put forward in this debate today, because I believe that the people of Ontario will be better served if you do that and not just barrel ahead the way you so regularly do, without making any amendments or considering some of the valid points that are brought forward in the debates in this room.

Mr Caplan: The member for Hastings-Frontenac-Lennox and Addington makes a very good point: review some of the history that's taken place in this province. I find it somewhat ironic coupled with the Minister of Labour not an hour ago standing here in this chamber and saying, "We don't strip contracts, like the third party did with their social contract. We don't believe in that." I

found that really curious because on June 22, 1993, Mr Stockwell, speaking to Bill 48, the social contract legislation, said, "I'd like say at the top that I will be supporting this legislation"—Bill 48, the social contract—"on second reading. I will be supporting it because this is probably, of the pieces of legislation this government has introduced"—that's the Rae government—"as close to the Conservative philosophy as anything that they have ever introduced."

Mrs Dombrowsky: Isn't that interesting?

Mr Caplan: Isn't that interesting? "As close to the Conservative philosophy as anything that they have ever introduced," and then, eight years later, he stands in this chamber—about an hour ago—and says to the NDP, "Isn't that horrible? You stripped their contracts." Well, that's the Conservative philosophy.

A day later, June 23, 1993, on a motion by Mr Laughren, "All in favour, all opposed?" the ayes included one Chris Stockwell. And of course Mike Harris, Ted Arnott, David Tilson, Noble Villeneuve—the entire Conservative caucus—on second reading, approval in principle, supported Bill 48, the social contract legislation. Isn't that interesting? Because I hear time and again members opposite say, "What about the social contract? What about what you did?" They supported it. They believe in that. They believe in stripping workers of their rights. I know that the member for Niagara Centre is here, and he was on the nay side, with the Ontario Liberal Party. He did vote nay to that particular piece of legislation and I say is entirely consistent in this debate on Bill 58, talking once again about collective agreements.

This legislation arises because of an exercise that the Harris government decided to get into: the exercise of downloading on to municipalities. They have downloaded ambulance services, housing, social assistance, roads and bridges—the list goes on. It is a bit of a Machiavellian exercise to say, "We've put our financial house in order," by transferring all the costs and responsibilities on to somebody else, on to the local tax base.

Here we are today having to deal with the fact that the contracts for ambulance services are coming due in September of this year and something has to be done. It is an essential service, but I will get into that in a minute.

This particular piece of legislation is fascinating because it doesn't say very clearly, standing on one side or the other—either you believe that a service is essential, like firefighting, police, nurses working in hospitals or, in my opinion, ambulance service and paramedics, or it's not, and there is the full right to free collective bargaining. This piece of legislation is a very backward and indirect attempt to have it both ways: to prevent paramedics and ambulance workers from having the right to a full collective agreement, but trying, in a through the back-door way, to declare them essential, making them powerless.

You've got to have it one way or the other. I say that to the government members very clearly: be on one side or the other. Either you believe, as I do, and as the

Ontario Liberal Party, Dalton McGuinty and our caucus believe, that paramedics are an essential service and thus do not have the right to strike, but should be granted the ability to go through binding arbitration when the collective bargaining process breaks down, or they have the full right to strike—one or the other. Those are the two choices. Don't try, in a very twisted and devious way, to do something through the back door.

I'd like to talk a little bit about this. What's very interesting about this legislation is that the minister wants to get this done in haste before the contracts come up. I have a letter here I'd like to read to all members of this chamber, from a paramedic who happens to live in my riding of Don Valley East. This is from Roberta Scott. Roberta is a level 3 paramedic with the Toronto Ambulance Service. She writes:

"As a level 3 professional paramedic, I am in my 15th year of service with Toronto Ambulance. I am writing to you with some serious concerns about the recent introduction of a bill"—that's Bill 58—"that will unquestionably have a very negative impact on paramedics across Ontario in regard to labour and contract negotiations. The Ambulance Services Collective Bargaining Act, 2001, introduced on first reading May 17 from the Minister of Labour, Chris Stockwell, intends to guarantee that paramedics become an 'essential service,' therefore taking our right to strike away.

"First and foremost," Ms Scott writes, "as a professional health care worker and a patient advocate, I do believe that essential service for paramedics is the right thing to do in terms of public safety issues. As it has been long recognized among our emergency services counterparts, police and fire departments, the emergency and life-saving services that we all provide should not be at risk of being withheld under any circumstances. Having said this, I would like to comment and express my concerns on the way in which our 'right to strike' is being withdrawn. As the bill stands now, paramedics have been left with no alternative ability or leverage by which to resolve any potential contractual disputes with our employer. I again point to police and fire services, who gave up their ability to strike, and in a fair exchange, were given means to binding arbitration written into their respective acts." Ms Scott asks, "Why have the paramedics of this province not been afforded the same recognition and respect?

"The job of a paramedic," Ms Scott goes on to say, "is one of very high stress, with constantly increasing workloads (especially with the horrendous RDC and CCB problems in our hospitals)." For those who don't know, RDC and CCB are redirect and critical care bypass. We read daily how emergency rooms are closed throughout not only Toronto but the rest of the province. People are literally dying in the emergency service vehicles. "We work under a physician's licence and perform numerous invasive medical directives. Our responsibility is to make life and death decisions and perform life-saving medical interventions every day. We work under very physically and psychologically demanding and dangerous condi-

tions. Our on-the-job injury risk is very high; so is our risk of 'burnout.' Paramedics have also never been afforded the same recognition of our 'high risk/public safety oriented job' that police and fire have. The other two emergency services workers have an early retirement '25 years and out' package. Paramedics do not.

"I have just mentioned a lot of the challenges of our profession, and yet I must also tell you what a very rewarding and gratifying career it is for myself and my colleagues. We have the ability every day that we come to work to make a huge difference in the lives of many people who are counting on us in their time of greatest need. It is a career we can be very proud of. For fifteen years, I have had the privilege of working with a group of professionals who are dedicated, caring and compassionate. They're excellent at what they do, and do it because they truly care about their patients.

1730

"I bring the above professional issues up to point out that what we are asking for is not at all unreasonable. The need for paramedics to be an 'essential' service is obvious"—it's obvious to any rational, clear-headed, thinking person, but I guess the Minister of Labour would not qualify—"to protect the public interest and their safety. What I would like to stress in my letter is that the bill is very obviously lacking in any fair exchange or compensation to paramedics. It leaves us in a very vulnerable and inequitable position when bargaining for a fair and reasonable collective agreement. All we are asking for is to be afforded the same recognition and respect given to all other valuable emergency and health care professions in this province."

This is signed, "Roberta Scott, level 3 paramedic, Toronto Ambulance Service."

I had a chance very briefly in an earlier exchange to ask the Minister of Labour to cite one person, anyone, who was going to say that Bill 58 is a good idea, that it's a fair and reasonable approach and a fair and reasonable way of treating the paramedics in this province. I have yet to have one person, one reasonable person, come and support the government's position. Bill 58 is, and I think the member for Thunder Bay-Atikokan said it very well, a farce. It's a farce of trying to remove the rights of essential workers, being the paramedics, to free collective bargaining but at the same time to rob them of the ability to exercise those rights.

I can't believe the government has come to this level, instead of being upfront with the people of Ontario, instead of being upfront with the professional paramedics and ambulance workers in the province of Ontario and saying, "This is what we believe. We believe you are an essential worker. We believe you provide an essential service in Ontario." I remember a few years ago when the Premier thought that transit workers should be declared an essential service. Surely to God, if you believe that, then this is a no-brainer. This is a slam dunk. Declare paramedics essential. It's a simple matter. You've heard it from a paramedic herself. I implore any member of the government, produce anyone who will stand up and say that Bill 58 is a good idea.

The Deputy Speaker: Questions, comments?

Mr Kormos: I've only got two minutes to question or respond to that, and I'm going to tell you that the member for Sault Ste Marie is going to in a couple of minutes exercise his two minutes, but then I'm going to be speaking to this bill on behalf of the NDP caucus here.

You know we oppose Bill 58. As a matter of fact, the bill should be withdrawn. Please, this isn't the way to do it. I know paramedics in communities that I represent. I've met paramedics and I know these women and men from across this province. Why is this government beating up on among the most dedicated group of professionals that are in our midst? And they're not well paid. I want you to understand that: these people aren't making the big bucks. They're not like the federal MPs. They can't come forward and say, "We want a 20% salary increase and we'll give it to ourselves in the course of one week." I've heard the rumours and the scuttlebutt around Queen's Park here the last few days: "Oh, here's the entry point for MPPs to give themselves a 20%, 25%, 30% salary increase." Don't forget the minimum wage here is around 80 grand a year. Show me a paramedic who makes 80 Gs a year. You show me a paramedic who makes 80 grand a year and I'll eat my boots.

The fact is, these are not well-paid professionals. They work incredibly hard. They train hard. The level of pre-job training—I'm talking about the level of education that's required of paramedics—has never been higher. The investment that they make in their careers is substantial. Who does the government pick to beat up on? The government pays off its rich corporate friends. They're paying off the richest people in this province who want to send their kids to elite \$18,000-a-year-tuition private schools. The government pays those people off. "No," they tell paramedics, "not only do you not have the right to strike"—that's what this bill does: it takes away the right to strike—"you also don't have access to real or fair arbitration." It doesn't cut it in my books.

The Deputy Speaker: Further debate?

Mr Galt: I have to just zero in a little bit on when the member for Don Valley East was commenting, and he was sort of looking back. I congratulate him for the research he was doing, talking about the social contract and who voted and how.

You know, Mr Speaker, I'm sure you'll recall the state we were in back then. I can understand why Bob Rae brought in a panic type of legislation. First, they were looking at something like a \$17-billion deficit. They finally got it whittled back to \$11 billion. I can understand why anyone might try to support it just to try to get some control in this place, in spite of breaking absolutely every contract. It was a sad situation that this province was in. Was it right? Probably not, but under the circumstances something very, very drastic had to be done.

The other thing he talked about—he just loves to use the word "downloading" when in fact there was transfer. Their government never had the intestinal fortitude to have a look at it. At least the NDP government looked at disentanglement, as they referred to it.

After working with AMO and all the rest and having an agreement, with the government taking over a lot of the education tax—what was the complaint from municipalities throughout the 1970s and 1980s and 1990s? It was that spiralling education tax on our properties. What did our government do? First we froze it; then we set it at 0.46%; then we reduced it to 0.4116%; and now, with the newest assessment, it's down to 0.38%. Not only that, but we returned the library grant—this was after everybody agreed to it—and then we went to 50% of the ambulance costs. And he goes on talking about downloading? This is uploading. This is helping the municipalities: a simple transfer and giving them opportunities.

The Deputy Speaker: Questions or comments?

M. Jean-Marc Lalonde (Glengarry-Prescott-Russell): Je dois féliciter mes collègues pour la position qu'ils ont prise sur ce projet de loi 58.

Mais lorsque je regarde ce projet de loi, actuellement, le gouvernement ne veut pas déclarer ces services essentiels. Nous savons que le Parti libéral de l'Ontario a pris une position en septembre 1999 qui disait que les services paramédicaux devraient être des services essentiels dans toute la province.

Si je regarde actuellement la position que le gouvernement a prise avant de procéder au délestage des services ambulanciers aux municipalités, il faut dire qu'il y avait des régions où l'aide financière était apportée pour la formation de paramédics avancés. Je regarde, par exemple, la ville d'Ottawa. Avant le 31 décembre, les cours de paramédics avancés étaient défrayés à 100 % par la province, et depuis le 1^{er} janvier, maintenant, 50 % des frais sont payés par la province. Mais les autres régions de la province qui n'avaient pas eu le bénéfice qu'avaient les grands centres, aujourd'hui, s'ils veulent faire prendre des cours avancés de paramédics, ils doivent défrayer les coûts à 100 %. Ce sont les payeurs de taxes. Donc, je vois que ce n'est pas un système uniforme.

Je regarde dans les régions rurales actuellement. Encore, même si nous avons développé un service beaucoup plus avancé que celui que le gouvernement provincial avait en place, nous avons encore un manque et on demande encore de l'aide financière au gouvernement.

Je regarde les services d'ambulance dans le secteur rural. Ce n'est pas rare que nous attendons 15 ou 20 minutes pour avoir l'ambulance sur les lieux, et j'ai vu, même sur un terrain de balle où une personne s'était brisée la jambe, qu'on a attendu 45 minutes pour avoir le service d'ambulance.

Aujourd'hui on dit que le service va être essentiel seulement en cas de grève. Je crois que c'est injuste.

Mr Tony Martin (Sault Ste Marie): I think the question that needs to be asked here this evening as we begin debate on this piece of legislation is, just what exactly is it about?

In my view, it's about this government wanting to deem the work that ambulance workers do essential services, but not pay them what that really calls for by way of their remuneration package. So what you'll see over the course of the next few days and weeks, however

long this government allows for this bill to work its way through the system—we know that in short order, at some point, because there are only about three weeks left before we all break for the summer, there will be closure brought in, there will be a time allocation motion, and we won't have any more time on this side of the floor to put on the table some of our very real and serious concerns where this bill is concerned.

1740

The government has a track record where these kinds of things are concerned, when dealing with organized labour, the workers of the province, those people who keep the public services that we all depend on so very much—particularly in this instance when we get sick—on the road and rolling; this government has a habit of demonizing these folks, of somehow making them out to be selfish money-grubbers wanting way more money than they're worth and, at the end of the day, presenting them as a group of people who would in fact put lives at risk if they don't get that money, when we know, and anybody who understands the contribution that these very highly motivated and educated and sincere and concerned individuals who operate our ambulances knows, that that is so far from the truth it's frightening. We on this side will be putting our case, given the opportunity.

The Deputy Speaker: Response?

Mrs McLeod: I appreciate the comments of my colleagues. The member from Niagara Centre asked, "Why would any government want to beat up on this dedicated group of professionals?" I think the answer is pretty obvious. It's because this government takes as an economic principle that it should beat up on union members whenever it has an opportunity to do so. That's reason number one.

Reason number two is equally obvious. This government hates arbitration. It's determined to destroy the arbitration process whenever it gets the chance to deal with any kind of collective bargaining legislation. This legislation certainly achieves that goal for the government.

The third one is the fact that this government wants to pay its professional workers, in whatever field, less. It's another economic principle for this government that you join the race to the bottom. They believe that how you produce some kind of economic benefit is to allow private sector employers to pay people less and less. I don't happen to believe that; neither does my leader and neither does my party. We happen to believe that you can achieve economic success as a province if you recognize good professional work and you pay people well and you have a good health care system and a good educational system.

That's not where this government is coming from. They want to pay people less, and they believe this legislation will do that. I don't think it will because I think paramedics are too valuable a resource. They are a scarce resource. I think, in fact, contrary to the government's wishes, people will be having to bid to get the services of our paramedics. My great concern is that the

highest bidders are going to be south of the border by the time this legislation works its way through, for the purpose of this government, the reason for this legislation is that they truly do want to open every door they can to increase privatization in every single field of public sector service. Today it happens to be ambulance services, and they hope that by maybe having some ultimate arbitration award that might be a little higher—in hospitals, for example—than the private sector employees are paying, in fact the next round of contracts will go exclusively to private sector employers. I think those are the government's goals.

This is such serious legislation. I share the concern of the member from Sault Ste Marie that we don't have time to have the public realize what a threat this poses. I wish we had that time.

The Deputy Speaker: Further debate?

Mr Kormos: I've only got 15 minutes of what is an hour that I'm entitled to, and I'm going to spend every minute of that hour.

New Democrats oppose Bill 58. We would dearly love to see this—to the government: withdraw the bill. Set it aside. Readdress the issue. One of the things you ought to do, please, is talk to the people that you're going after, because you haven't consulted with paramedics. You haven't consulted with paramedics in OPSEU, the Ontario Public Service Employees Union. You haven't—the government hasn't—talked to or consulted with paramedics who are part of the CUPE, the Canadian Union of Public Employees, collective bargaining units. The Minister of Labour and this government hasn't, didn't, did not—understand this—talk to or in any way consult with paramedics who are members of the Service Employees International Union. You didn't talk to them.

Withdraw the bill. Set the bill aside, because I know. Because I have talked to them. I have talked to them and I know that they're prepared to do what has to be done to avoid any risk whatsoever of a labour dispute endangering the lives or welfare of any Ontarian. Quite frankly, I still defy the Minister of Labour to name one person who has ever been put at risk as a result of any work action or collective bargaining strategy utilized by any paramedic in this province of any of those three collective bargaining units. The Minister of Labour can't identify one.

Quite frankly, nobody has ever died as a result of the actions that from time to time any number of collective bargaining units have had to engage in as strategic actions to give effect to a negotiating process. Increasingly it's just, "Come on, people are dying in this province." Not because of paramedics; people are dying in the province of Ontario because this government doesn't adequately fund emergency rooms. It can't get its act together, and people are still being routed from one hospital to another.

It wasn't paramedics that killed people in Walkerton. It was this government's abandonment of the Ministry of the Environment, and that evidence is becoming clearer and clearer as that Walkerton inquiry progresses. Perhaps we will hear even more, because I understand—now all

of us do—that Mr Justice O'Connor has called upon the Premier himself to tender some evidence at the Walkerton inquiry.

I do want you to know—and heck, I've only got 12 more minutes and we're going to be gone. It's going to be 6 o'clock; the House is going to adjourn for the day until tomorrow. I don't know whether this bill is going to be back on tomorrow afternoon or not. If it is, I'll be back here for the balance of the hour that I've got to speak to it. There are a whole lot of things I've got to address. I want to take you through section by section, and I would ask government members, as a little bit of preparatory work—I'm not asking a lot of you—please, this evening read the Arbitration Act, 1993. Read that major renovation of the Arbitration Act that brought it in line with most other jurisdictions. It was a harmonization action back in 1993. Please, Conservative backbenchers, read the Arbitration Act, because I suspect you haven't, because if you had, you would be as shocked as I am and you'd be as shocked as paramedics are about what this bill replaces arbitration with. They call it arbitration but it ain't arbitration. Read the Arbitration Act, please.

Quite frankly, while you're at it you might as well read the bill. It would be helpful if, before members of this House voted on a piece of legislation, and in this case, in the event of government members, before they follow their marching orders to pass what is a very bad and dangerous bill, I implore you to read it.

I should mention that tonight at around 7:30 I'm going to be over at The 360 at 326 Queen Street West. It's a book launching, a collection of essays edited by Ruth Cohen, and it's called *Alien Invasion: How the Tories Mismanaged Ontario*. Jimmy Coyle did a review of the book back on May 29—Jim Coyle, the columnist. Jim Coyle's column in itself is rather interesting because Jim Coyle talks about how this government is obsessed with testing urine, yet when it comes down to the real important stuff like testing water, it doesn't test water. This government tests urine when nobody wants urine to be tested, and to no positive end, but it won't test water, for Pete's sake. It tests grade 3 students, but it won't test the water. There's something wrong, there's something skewed about the priorities of a government that's obsessed with testing urine but refuses to test water, because we know people die when you don't test water. We know that.

So that's going to be at 7:30 pm. Join the editor of that book, Ruth Cohen, at The 360. It's a club on 326 Queen Street West, a block east of Spadina. There is going to be a whole lot of folks there. Ruth Cohen's book, *Alien Invasion: How the Tories Mismanaged Ontario*, is at 7:30 this evening. It's a book launch. Everybody's welcome. You can get autographed copies of the book. You can talk to Ruth Cohen at The 360, 326 Queen Street West.

Later tonight, at 10 o'clock, I'm going to be on the Coren show—you know, the talking heads panel. That should be a relatively interesting one because I suspect that tonight on the Michael Coren show at 10 pm on the CTS network—

Interjection.

Mr Kormos: Oh, I'm getting to the bill. I'm getting to the bill, Speaker. I'm getting to 58. Trust me. You bet your boots I'm getting to it.

1750

Tonight on the Coren show at 10 pm I have no doubt that the issue of this government's investment of public funds, public funds as taken from the publicly funded educational system that's already in an incredible state of disrepair and despair—this government is taking money from public education and investing it in high-priced private schools, some of them even for-profit.

This government wants to beat up on paramedics, tell them they have neither the right to strike nor recourse to arbitration, and that's what this bill does. It says to paramedics, "You don't have the right to strike and you don't have recourse to arbitration." What it means, if Bill 58 becomes law, is that there is no free collective bargaining for paramedics employed in the municipal sector. That's what it means. It's as simple as that. It's not complicated at all. It's pretty straightforward. Even a cursory reading of the bill will tell you that.

We know this government doesn't like workers. It likes trade-unionized workers even less. Poor workers it despises, and unemployed people it just has nothing but disgust and disdain for. It's true. My colleague from Thunder Bay was right. I asked the rhetorical question, "Why is the government going after these people?" She said, "Because they're workers and they're trade-unionized workers." She's right, but there's far more to it than that. It's all part, among other things, of the privatization agenda.

You see, this government has very much as part of its plan the complete abolition of ambulance services in the public sector. This government doesn't like Dan Tyo. He's a young paramedic from the London area, a bright, capable, incredibly committed, well-trained young professional. He saves people's lives. Do you understand me? Dan Tyo and others like him, women and men across this province, save people's lives. It's not celluloid, what they are doing. It isn't like on TV, those 10 pm TV shows or the occasional movie. It isn't like that. When Mom or Dad falls down the stairs or simply falls down or has the heart attack, or when—look, you can go on and on—the baby ends up face down in the pool or any other number of incredibly dramatic and traumatic things happen, it's paramedics like Dan Tyo who show up there. I quite frankly can't think of any worker I would want to ensure is better paid or more secure in the knowledge that they're going to be treated fairly and, more importantly, treated with regard, treated with respect, than a paramedic.

You see, when paramedics get home from work, they don't do it driving home in their BMW 5 series or in their Mercedes-Benz or in their Lincoln Town Car. They go home in Cavaliers and the occasional Corolla. It's not the glamorous end of the health care system, but I tell you, I consider it an integral part of the health care system and I consider it a critical element or facet of that front line of

community safety workers. I put paramedics shoulder to shoulder with police officers, firefighters and correctional officers. I do. They are the people there at the front line. They are the ones up to their elbows literally in guts and gore. The paramedic starts treating you long before you ever get to a doctor, if you ever get to a doctor in Mike Harris's Ontario.

Interjection.

Mr Kormos: Well, it's true. How many more deaths do you need en route to overcrowded, understaffed or locked, bolted and barred emergency rooms before you understand that, people over there in the Tory back benches? How many more? Seven dead in Walkerton. People die en route to hospitals not because they couldn't have got to that hospital in time, because paramedics are taking them there, but because that hospital can't receive them and the paramedics have got to go off on bloody—yes, literally bloody; I wasn't being profane—excursions across town as they look for emergency rooms that will take their patients. During the course of that time it's paramedics who are working on that patient, and if that patient does survive it's because of paramedics. It's not because of Mike Harris's locked, bolted, barred-door emergency rooms. It's not because of Mike Harris's doctor shortage. It's not because of Mike Harris's nurse shortage.

So these paramedics are under attack.

Let me make something perfectly clear—yes, I'm watching the clock too. I know you're going to stand up at 6 o'clock and shut me down, Speaker, but I'll be back. I'm coming back, and it's going to be 45 more minutes because I'm going to use every minute I'm entitled to.

I want to talk about the sections of this bill that, among other things, create a non-arbitration in the guise of arbitration. You see, it's not going to end with our sisters and brothers who are paramedics. Oh, there, I've done it. I've said it. I've called them sisters and brothers. Yes, they are. I confess I like trade unions. I do. I thank God for Sid Ryan and for Leah Casselman and for the unions they represent, because I'm going to tell you right now, those trade unions, their members and their leadership, have done more to create economic and social justice in this province than any other institution ever could. I tell you that they are more relevant now than they have been, not less, when you see this concentrated attack on public sector work and on the public service by this government.

This government wants to dismantle the public service. This government doesn't believe in the public service. This government wants to privatize all of those things that you and, more importantly and with far greater sacrifice, your folks and your grandfolks have built over the course of decades and generations. They do. Government didn't build hospitals and schools, your folks did and your grandparents did, and they built them brick by brick and they built them dollar by dollar with their taxpayers investing in their communities. And this government wants to hand those hospitals, those schools, yes, those ambulance services over to their private sector

corporate friends so that profits can be made as a result of significant public investment over the course of decades and generations.

I tell you that's wrong. It's unfair, it's unjust and it's wrong. I'll stand with trade unionists any day of the week, shoulder to shoulder, arm in arm, when it comes to fighting that agenda, when it comes to fighting for economic justice for workers and for job security for workers and for fairness for workers. I have no qualms about identifying clearly with OPSEU or identifying clearly with CUPE, no qualms whatsoever in identifying clearly with the SEIU, no qualms whatsoever in acknowledging the leadership of Leah Casselman and others like her, no qualms whatsoever in acknowledging the leadership of Sid Ryan and others like him, and no qualms whatsoever in acknowledging people like Dan Tyo, who's not only a darned good paramedic, but a trade union activist.

There, how do you like it? He is, and I don't think he's at all afraid to say it. I think he's proud of it. His co-

workers put him into a position of trust because they have confidence in his abilities and his leadership, and he, along with other OPSEU and CUPE and SEIU members, is here at Queen's Park trying to talk to Tory backbenchers, who end up slamming the door in their faces because Tory backbenchers don't want to hear from the people who are out there delivering those paramedic and ambulance services on the front line. The government hasn't consulted, and every single effort by paramedics and other ambulance workers to talk to Tory backbenchers has been met with a slammed door.

That's not how you treat committed professionals saving people's lives. That's not how you do it. I'm calling upon this government and I'll call upon them again at the next opportunity to speak: 7:30 at The 360 at 326 Queen Street West; 10 o'clock, Coren show tonight.

The Deputy Speaker: Thank you very much. It being 6 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

The House adjourned at 1800.

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Journal des débats (Hansard)

Thursday 7 June 2001

Jeudi 7 juin 2001



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
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Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 7 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 7 juin 2001

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

IMPROVED SAFETY ON 400 SERIES HIGHWAYS ACT, 2001

LOI DE 2001 SUR LA SÉCURITÉ ACCRUE DES ROUTES DE LA SÉRIE 400

Mr Mazzilli moved second reading of the following bill:

Bill 50, An Act to improve safety on 400 series highways / Projet de loi 50, Loi visant à accroître la sécurité des routes de la série 400.

The Deputy Speaker (Mr Michael A. Brown): The member for London-Fanshawe has 10 minutes for his presentation.

Mr Frank Mazzilli (London-Fanshawe): The 400 series highways have become very congested with traffic flow and anything we can do in this Legislature to make things safer on 400 series highways will be important.

I am just going to read the section. This is an amendment to the Highway Traffic Act and how I see the improvement of a highway.

"If a highway designated by the Lieutenant Governor in Council as a controlled-access highway under the Public Transportation and Highway Improvement Act is divided into more than one lane of travel for a direction, no person shall drive a motor vehicle of class A as described in Ontario Regulation 340/94 in the extreme left lane for that direction unless the other lanes for that direction are obstructed."

I say "obstructed," and certainly that would have to be defined, but as class A vehicles normally are transport trailers—I'll give the definition that I've read about a class A vehicle. It is any combination of a motor vehicle and towed vehicles where the towed vehicles exceed a total gross weight of 4,600 kilograms, but not a bus carrying passengers. So what we're talking about is the largest size of vehicles as far as weight capacity that is allowed in Ontario. Generally these vehicles are known as transport trucks.

The intention of this section, of amending the Highway Traffic Act, where there is more than one lane of travel on a controlled-access highway, is to have these

vehicles in the right lane, or if it's three lanes in one direction, the two right lanes. Unless a lane is obstructed, and of course that would have to be defined, but if traffic is moving at normal flow, meaning 100 kilometres an hour, I don't see any reason for a class A vehicle to pull out and pass, creating a lane change, with the possibility of accidents.

As far as accidents in Ontario, we know that turning movements, especially left turns, are a cause of numerous accidents, and the other cause is lane changes. Particularly at speeds of 100 kilometres an hour or in excess of that, a lane change can be a very serious infraction that can cause an accident.

I also acknowledge that class A vehicle drivers are professional drivers, many with many years of experience behind them in driving these vehicles. This bill has nothing to do with their driving ability; it's simply the load size they carry and the load that follows them while making a lane change. Other vehicles that do not tow generally have an easier time of making a lane change, but when your load is in a towed motion, that makes it much different.

I also have the support on this bill of the Police Association of Ontario—which believes that this amendment will make it safer—the Ontario Provincial Police Association and the Canadian Automobile Association. The one thing that David Leonhardt from the Canadian Automobile Association wanted pointed out was that their members were concerned about merging on to the highway, that presently, people would move over from the right lane to allow people to merge in. I say with sincerity that that is something that is a courtesy. But you know what? Those courtesy movements are sometimes the most dangerous on the road. It is presently, and always will be, the onus of the person merging to do so safely. So when people move over into the left lane to allow people to merge, perhaps that is courteous, but what could happen because of that courteous movement: perhaps someone who is not seen in the mirror while making that lane change? I certainly don't want us to act in this Legislature to make legislation based on courtesy. I know the Canadian Automobile Association understands that point very well and it's very well taken.

We're likely going to hear from the Ministry of Transportation and others that there is probably no need for this and things are fine the way they are. There is a section in the Highway Traffic Act, section 147, that says everybody should drive to the right of centre when practicable. The problem with legislation over the years is that we've made it so open-ended—that's for all motor

vehicles—with words like “where practicable.” There is always a reason not to, so it makes enforcement very difficult, and when it’s very difficult, it has no purpose.

There is a regulation, 608, that supposedly restricts the use of left lanes by commercial motor vehicles. In there they have the definition of commercial vehicles, the CVORs that people have on their windshield, and it talks about three-lane highways and how you shouldn’t. Without getting into too much detail, it says, “A sign indicating that commercial motor vehicles are prohibited in the left lane of a highway shall be in the form and dimensions prescribed and illustrated in the following figure.” I’ve never been able to see “the following figure.” I’ve talked to other members of the Legislature, but I’ve not seen many of these signs prohibiting vehicles in the left lane, even on three-lane highways, that this regulation calls for. That tells me one thing: if the Ministry of Transportation and the province of Ontario are not meeting the regulation by posting these signs, with the dimensions that are usually in regulation, then it can’t be enforced. I know some people said they have seen these signs; they can’t remember where. But if the signs are not up, how can you enforce it?

1010

My amendment goes a bit further—I will acknowledge that—because it talks about two lanes, not just three lanes. I think we need some clear rules. I’ve left this bill very short and open because I would like to see it go to committee to work on the “obstruction” definition. We don’t need to let the courts define “obstruction.” We can define “obstruction,” a reasonable definition. I’ve heard from the national truckers’ association, who say, “What about on a two-lane highway? If someone’s going 40 or 50 kilometres an hour, can we not pass? How reasonable is that?” I would be the first to acknowledge that they should be able to. That should fit within the definition of the highway being obstructed.

It’s always those arguments that prevent us from doing anything. I drive the 401 from my riding of London-Fanshawe two or three times a week, and I’ve not seen a lot of traffic in the right lane at 40 or 50 kilometres an hour. Yes, perhaps it could happen on occasion. What I see is traffic moving normally, generally at well over 100 kilometres an hour—not that I would be in that category—yet class A vehicles moving into the left lane to pass other vehicles at 120 or 130. If someone asks, “Do you want to prevent that?” absolutely I do. I believe they should be in the right lane. It would make visibility clearer too.

On the three-lane issue, if you’re in a motor vehicle you’re boxed in, so forget what we’ve ever learned in defensive driving; you’re boxed in and you have no escape route. We should prevent that, and I urge all members of this Legislature to support this bill.

Mr Bruce Crozier (Essex): It’s a privilege for me to rise this morning to speak to Bill 50 in the name of Mr Mazzilli from London-Fanshawe. I can say at the outset that this is a bill that speaks of highway safety and I have absolutely no problem in supporting it.

As with any piece of legislation, though, it does raise some questions. I just received the backgrounder this morning, but I think it would have been useful to know what the Ontario Trucking Association thinks of this. The two police associations support it, as well as the CAA. I’m a member of the CAA, so I guess that means I support it. But it would have been interesting to have input from the trucking association as well.

The member has spoken to the point of two-lane 400 series highways. As he will well know, driving in from London as we do, many of us, there is a 42-kilometre section between Kitchener and Woodstock that is just two lanes, and of course Carnage Alley, that goes from London through to Windsor, is only two lanes. The background information says, “The purpose of this act is to include sections of highway that have two lanes.” We know, then, the trucks are going to have to be travelling in the only other lane, the inside lane, in cases of passing. It does say that if there’s an obstruction in the right-hand lane, the class A vehicle can use that left lane. I take it there are going to be some instances where the police officers will have to use judgment, as will the truck drivers.

Whatever it is, if we can have regulations that are understandable and contribute to highway safety on the 400 series of highways, as I said, I support it wholeheartedly. But when the question of safety on our highways comes to all of us—and it’s a related topic—we’re all concerned. I mention very briefly Carnage Alley, that runs from London through to the border at Windsor, and we’re all aware, I’m sure, because it’s been spoken of many times in this Legislature, of the unacceptable number of accidents that occur on that stretch of highway. So through this debate this morning, I urge the member from London-Fanshawe to help us urge the Minister of Transportation that we, as quickly as possible, make those hard improvements to the highway, the infrastructure improvements to the highway, to make it safe.

We feel that a third lane in each direction in that area between London and Windsor would go a long way to improving highway safety. The member from London-Fanshawe—and he did it with a smile on his face—mentioned the speeds on 401. I, like he, travel the section of 401. I drive a little farther on it, maybe another hour and a half each week, and several times a week. I’ve almost hurt myself, because you’ve heard the old story that I got passed so quickly I thought I’d stopped, and I got out and I was running 100 kilometres an hour.

Speed is a factor on the highway when it comes to safety. I’m not saying that 100 kilometres an hour should be the speed limit; in fact, I think it was mentioned here a year or so ago that perhaps the speed limit should be increased on the 400 series of highways. But we shouldn’t kid ourselves. Anybody travelling 100 kilometres an hour on the 400 series highways is almost an obstruction, because most of the traffic travels somewhat faster than that.

I think there are other things that should be considered when it comes to safety on those highways: as I said, the

improvement of the infrastructure as well as a consideration for increased police presence on the 400 series of highways. One might even consider swallowing a little bit of pride and looking at photo radar again on the 400 series to keep traffic flowing at a reasonable speed. We now have cameras at stoplights, and I think that should be considered on our highways as well.

I wish the member well with his bill.

The Deputy Speaker: Further debate?

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join the member from London-Fanshawe in the debate of his bill dealing with An Act to improve safety on 400 series highways.

Any of us who drive on the 400 series of highways—my area being Barrie-Simcoe-Bradford, Highway 400 runs right through the heart of my riding—have seen over the years the increase in the number of trucks that are travelling, and large trucks, because obviously our area is an economic growth area with heavy, heavy construction that's going on. Certainly we're seeing larger vehicles, not to the extent of what you're seeing if you go down to my colleague's area in southwestern Ontario in terms of the activity there with trucks going toward the US border, but a significant increase in not only the number of trucks, but the size of the loads that these trucks are handling. Certainly in recent days you're seeing the OPP has been very vigilant in terms of ensuring truck safety on the 400 series of highways through their efforts in terms of dealing with truck safety.

What my friend is trying to accomplish here today in the purpose of this act is to include sections of highways that have two lanes, and if the right lane is not obstructed, his opinion is that a truck has no legitimate reason to be in the left lane.

1020

This piece of legislation applies to the 400 series of highways. It applies to class A motor vehicles on controlled-access highways where there is more than one lane. A class A motor vehicle is defined as, "Any combination of a motor vehicle and towed vehicles where the towed vehicles exceed a total gross weight of 4,600 kilograms, but not a bus carrying passengers," pursuant to the Highway Traffic Act.

As I said, the purpose of the act is to make it an offence—it's very, very specific, and that's what the member wants, to make it very, very specific—for a class A vehicle to be in the far left lane on any of the above-mentioned highways, which is the 400 series, unless there is an obstruction forcing them into the left lane. The intent of the legislation is to make our highways safer by keeping larger-sized vehicles in the right lanes of the province's busiest highways.

The benefits would be improving the flow of traffic, increasing driver visibility and reducing driver frustration. I think there's a lot of common sense to that, because it's not so much when you have good traffic flow that you're going to find a truck in the left lane. Where you're going to find them in the left lane is where there's a congestion and where there's a slowdown in the

traffic, be it for an accident, be it just because of the volume, and you tend to find that you'll have vehicles moving from one lane to the other.

I think that's where you see the visibility problem in terms of trying to get through that area, for people who aren't driving trucks: the congestion has really built up because of the volume that's out there and the traffic flow is going to be impeded by them being over in the left lane.

One area that I think needs to have some clarification in this legislation, when I was reading it—I'm not very clear in terms of the regulations that my friend wants to put forth. He indicates under subsection (2) that, "The Lieutenant Governor in Council may make regulations providing circumstances in which subsection (1) does not apply." That's where he doesn't want a truck to be in the left lane. But it goes on, under subsection (3) that says that regulations that are made "may be general or particular in their application and, without limiting the generality of this subsection, may apply with respect to certain classes of motor vehicles or persons, but not other classes."

I'm not really clear what the intent is, what he's trying to accomplish there, in terms of building in circumstances for the regulations to make his piece of legislation not apply. I think that might have to be a little bit more clear, if the intention is that it doesn't apply to vehicles other than class A.

I'm pleased to speak and I wish the member support.

Mr Rick Bartolucci (Sudbury): I stand in support of the member's private member's bill with regards to safety on our highways, the 400 series.

I thank the member from London-Fanshawe for bringing this forward, because it provides me with an opportunity to talk about a highway that isn't very safe. It's Highway 69, and deals directly with the bill, because the 69, as the member from London-Fanshawe knows, goes into the 400 series of highways.

I would suggest to the member from London-Fanshawe that although he's dedicated to his own area with regard to upgrading the safety on the 400 series, there is work to be done on Highway 69, because, as the member from London-Fanshawe knows, we don't have the luxury of multi lanes from Sudbury to Parry Sound. So obviously we have to contend with class A vehicles all the time and that's where the dilemma comes in.

I've talked to the member from London-Fanshawe about this before. He's a former police officer, so he wants safety on the roads; there's absolutely no question about that. That's why this bill is good. But I have to put on the record that the commitment of the government of Ontario to four-laning Highway 69 from Sudbury to Parry Sound leaves much to be desired.

I have to talk about some statistics here this morning, because they are indeed frightening. They are frightening to the member from London-Fanshawe and I hope they're frightening to everybody else who's in the House.

In the last 18 months a startling 26 fatalities have occurred on that section of highway from Sudbury to

Barrie. That's approximately 176 kilometres—a little more than 176, because 176 kilometres brings us to Parry Sound. The newest member of the House, the member for Parry Sound-Muskoka, is in here and I know he supports—I hope he supports—the four-laning of Highway 69 from Sudbury to Parry Sound, because it will be good for his town and his area. Also, it is essential for the people who travel that road from Sudbury.

Let me go through some statistics that came from the Ontario Provincial Police. In 1996 there were 321 accidents on that stretch of highway, with 126 people injured. In 1997 there were 291 accidents, with 132 people injured. In 1998 there were 249 accidents, with 116 people injured. That's 861 accidents and 374 injuries, and some of those involved class A vehicles.

I think if we devoted the same attention to improving Highway 69 with this type of legislation, brought forward by a government member, we would be going a long way in ensuring that people who travel from Sudbury south travel on highways that are safe.

So I commend the member for London-Fanshawe. I think this is a good initiative. I hope it goes to committee. I hope this isn't one of these government bills where, you know—"We're going to support it"—and then the government is going to bury it in committee of the whole, because I think this is worthy of debate. When it gets to committee, I'll be talking again about Highway 69. How? Because it's a natural link with the 400 series. The government has to commit more effort, more money, and speed up the process of four-laning Highway 69.

To be honest with the people in the House and the people of Ontario, the government has finished the environmental assessment for that first portion and indeed has already done some property acquisition. They could start construction tomorrow if they wanted to issue the tender. There are lots and lots of paving companies that believe that four-laning Highway 69 is essential, that it begin from Sudbury and begin immediately. I will be supporting this resolution.

Mr Tony Martin (Sault Ste Marie): I appreciate the opportunity this morning to put a few thoughts on the record with regard to this initiative by the member for London-Fanshawe.

I think anything that will provide more safety and give all of us a greater sense of relief when we get on the highways of this province is good. I don't think we should be in any way critical of that. If it'll do the job, if it'll help, if it'll go a distance to reducing the possibility of carnage, of people getting into accidents, of the kind of grief that happens because somebody is blocked off or sitting behind somebody who's either driving erratically or too slowly, if it reduces the possibility of that kind of frustration on our roads, then we should be doing it.

However, I suggest to you that putting band-aids on what is a huge, difficult, complicated and sophisticated challenge for the province as we try to manage the very troubling level of accident and incident where we see great damage and loss of life on the highways is not, in my view, the way to be going.

1030

I think the member, even though well-meaning in bringing forward the bill that he has here this morning, would do better to be sitting down and influencing his government and the cabinet to do precisely what the member for Sudbury has suggested, and even more so. The member for Sudbury is talking about Highway 69, and I think that's an important corridor in this province as we try to connect the north with the south, and the south with the rest of Canada. Highway 69 hooks up to Highway 17, and we have a lot of traffic that flows, particularly in the summertime but all year long, up that corridor and on to Highway 17 and off over through your riding, Speaker, and mine and into northern Ontario and western Canada. I think we need to be looking at a lot more than Highway 69, although it is a good place to start.

If you look at what's happening on Highway 69 right now—and again, I'm not criticizing in that they are four-laning, but they're only four-laning up as far as Parry Sound. It sounds awfully political to me. The member sitting beside you, the member for Fanshawe-London, will understand that. I think there was a whole lot of activity of a visible nature that actually took place during his election to indicate that this government is driven more by how they can benefit politically from initiatives they take and things they do on behalf of all of us as constituents of Ontario, by political consideration, than doing the right thing and making sure that our highways are safe, investing in public institutions and public infrastructure that will serve all of us, as opposed to the very narrow and short-sighted consideration and concern for the members of the governing party and their friends and benefactors.

If this government was truly interested in safety on our highways they would not have, in the first place, done away with photo radar on the highways. Even the police, when we were in government, were saying that was a great idea. Not only would it save lives of the general public out there and slow down traffic—as a matter of fact, it had slowed down traffic. We had statistics to show that traffic was being slowed down on our highways, and it was beginning to have a very positive and significant effect. But this government, driven by its ideology, decided to do away with that very effective and well-received initiative, as I said a few minutes ago, even by the police who have not only seen it as a vehicle that would reduce the level of accidents on the highways for the general public but would reduce the danger to themselves as they participated in the only other alternative to the photo radar initiative that we brought in, which was to get into their cars and chase these guys.

If this government continues to bring forward more and more reasons for charging people, create more and more laws that people have the potential to break as they drive down our highways, you know you'll have our police out there chasing every second car that goes down the highway. I don't think that's what we want. I don't think that's the kind of activity that our police believe

they were trained to participate in and I don't think they believe that will go a long way to reducing the level of difficulty that we find on our highways today.

So if this member were truly interested in safety on the highway, one of the things he could be doing is going to his government, to the Premier and to the Minister of Transportation, and saying to them, "Hey, let's reconsider. Let's put the ideology aside and the political gain aside here and let's reconsider bringing back photo radar so we can have a major vehicle to take a bite out of this very difficult issue"

Getting back to the four-laning of highways and the suggestion from the member for Sudbury, I agree, as I said, wholeheartedly that four-laning Highway 69 is a tremendously important thing to be doing. But there are a lot more highways in the north that need to be worked on. I think this government, again, setting aside its ideology, setting aside its fight with the federal government that it seems never to be able to get out of or avoid—it's like the bully in the schoolyard who has found somebody that there's some gain to continually be engaging with. This government seems to feel there's some political gain in continually bashing the feds and continually fighting with the feds over anything and letting that get in the way of doing some deals—money from them, money from us—to actually improve the whole highway system in this province: Highway 69, the 400 series and Highway 17. I mean, God, we're probably the only country in the world that has a highway that goes from one end of the country to the other that isn't four-laned, that's in some areas no more than a trail that was broken some 100 years ago and has simply been paved over.

If this government was interested at all in highway safety, they would put some significant money, effort and time into looking at the whole highway system in this province and improving it to the point where safety wouldn't be the huge problem that it is today. So I say to the government, do that. Sit down with the federal government, drop the axe, stop the fighting, make a deal and improve the highways across this province.

Never mind the tolling. People in this province are sick and tired of paying the new fees you've imposed on them. Yes, on one hand you gave them a few pennies in terms of a tax break, but on the other hand, every time you turn around, it's another cost to the citizens of this province for something else that used to be covered by the general revenue tax system we had in place. So stop this notion and thinking and effort that's going into, "How do we build more toll roads?" Get into an agreement with the federal government and improve the highways that we have in place now so we can have true safety out there and people can have the room they need to get where they're going in a timely fashion and not be caught in the bottlenecks that this member across very sincerely and genuinely wants to do something about with this piece of legislation we're dealing with here this morning.

The other thing I want to put on the record with regard to this is the level of anxiety in the general populace out

there today that is causing some of the problems we're seeing on the highways as well. We have people in all of our communities across this province who, five or six years ago, were very comfortable and happy about their situation and their future. They had jobs, they were involved in their community, they were taking extra courses to improve on their skills. They had growing families, they were working with those families, those children, so that they might consider going on to college and university and have a life of their own. Even though there were challenges out there, of course, because of the very difficult economy we experienced in the early 1990s, there was a sense that it had righted itself. There were a whole lot of people out there who had jobs that they had prepared themselves for, that they felt in their heart of hearts would be there for them until their retirement, and they were looking ahead to their future with some comfort and peace.

But since this government came in and turned this economy upside down or turned the economy over to the whim of the US, we have a whole lot of people out there now, and more and more with every day that goes by, who are anxious and concerned and worried about their future. They get on the highway, they're driving from here to there, they're driving from home to work, and they're continually thinking and worrying about how they do more work, how they improve their ability to participate so that they might extend the life of that opportunity perhaps another week or another month and buy themselves some time.

We used to have thousands and thousands of jobs in this province that were good, solid, paying jobs with benefits and pension packages. Most of those jobs over the last few years have been turned into part-time, contract positions. Where a citizen of this province could, a few years ago, provide for themselves and their families on the proceeds of one job, they are now looking at doing two or three jobs to put the same money on the table, in their bank, in their pocket, to cover the cost of living for themselves and their families.

This is creating the kind of difficulty on our highways that this member over here is bringing in a band-aid to try to fix. It isn't going to fix it. The only thing that's going to fix it is an all-out, concerted, involved effort to improve our highways, to do a deal with the federal government so that we can four-lane Highway 69, as the member for Sudbury said; so that we can four-lane Highway 17, which is the connecting link between Quebec and the rest of the country for the citizens of Ontario.

The other way we can do it is to go back to some of the initiatives that our government introduced, which were supported by all of those groups that had a vested interest in making sure that our highways were safe.

1040

They were things like photo radar, which had proven itself in its short life to have slowed down traffic enough to reduce the number of accidents that were happening out there and the carnage on our highways. It gave our

police officers, who are ultimately responsible for monitoring and stopping people who are doing things that are dangerous, a sense of some control and the possibility of winning this battle out there as they sat and noted as people drove over the speed limit, and when they found that they were doing that, they would pull these people over.

What we have now is a mishmash of rules and regulations and nobody seems to understand any more where it begins and where it ends. Every Thursday we come in here, we get another crime-and-punishment member from the government standing up with another band-aid to fix a problem that requires this government to actually do some serious and significant work, and I don't think it's going to do the job.

As I said, I think the only thing that will do the job is this government setting aside its ideological agenda, setting aside its crime-and-punishment agenda, sitting down with some of the partners out there who actually want to work with them on some of these issues and bringing in a full and comprehensive response to this very difficult challenge of the kind of driving that we see on our highways out there today; sitting down with the federal government and doing a deal so that we have the money necessary to improve our highway system, particularly where Toronto is concerned; to get some money from the federal government so that we can improve the public transit systems across this province, in Metro Toronto and in other big centres; sitting down with the federal government to see if we couldn't put a package of money together that would improve Highway 17 as it goes through North Bay, Sudbury, Sault Ste Marie, Wawa, Thunder Bay and all those important communities so that everybody in those parts of the province feels like they've had their concerns addressed as well; setting aside their ideological agenda and actually taking a serious look at the positive side of things like photo radar.

As I said, even though I note that the member across the way is probably very sincere in bringing forth this response, I don't think it's enough. At the end of the day, I don't think this government will support it and, even if they did, it won't do the trick.

Mr Gerry Martiniuk (Cambridge): I'm most pleased today to rise in support of Bill 50 from my good friend Frank Mazzilli, the member for London-Fanshawe. I think the member has shown his concern for the safety of individuals in the public dating back to when he was a police officer and served honourably with the London Police Force; and subsequently as a member of the Ontario Crime Control Commission, where he did great work, and also as parliamentary assistant to the Solicitor General, where he also had a distinguished career. I think his constant priority has been the safety of individuals, not just in criminal acts but also in accidents of this kind.

Now he's recognizing that the 400 highways and the Queen Elizabeth Way are getting crowded. I travel those highways periodically. I measure the prosperity this

province is presently enjoying by the number of trucks on the road. The more trucks, the more prosperity we happen to have. But unfortunately, the trucks do cause a concern; not so much the trucks, but the heavy traffic on the roads does cause a concern for safety.

We've got to recognize that speed is important on the highways, but I happen to think that the flow of traffic is more important than speed, in other words, that the traffic in particular lanes is all moving at the same rate so that we don't get stoppages, slowdowns, lane changes and things of that kind. This bill is meant to address it. The bill would apply only to controlled-access highways, being the 400 series and the Queen E.

I should say that some good points have been raised, for instance, in regard to emergency vehicles. Would they also, in some manner, be caught by this? Hopefully this bill will pass with the support of this House and hopefully it will be referred to a committee that can deal with amendments and recommend any regulation. Emergency units using the 400 series highways that might conflict with the legislation can be covered by the necessary regulation. We know this would only apply to tractor-trailers over 4,600 kilograms. I happen to believe, and I think many in this House also believe, that this bill will prevent accidents and save lives. I'm sure we're all in favour of that.

My municipality, Cambridge, is always affected by the 401 in particular, being one of the series of 400 highways. As a matter of fact, Cambridge is split. The 401 basically goes through the middle of my municipality, formerly made up of Preston, Hespeler and Galt. As everyone in the House knows, Cambridge is located 60 miles west of Toronto on the heritage Grand River, which is the second largest heritage river in Canada in terms of length. With the 401 going through the city, there are a large number of commuters both to and from my municipality of Cambridge.

Strangely enough, I always thought most of the commuters were travelling from Cambridge to other areas—Mississauga, Toronto, Hamilton—but in fact there are more commuters coming into Cambridge in the morning and leaving in the afternoon than there are going out. Whether they're coming or going, that creates a problem with traffic.

I don't believe this bill is aimed at the vast majority of professional drivers of tractor-trailers in Ontario. I happen to believe the vast majority are good and responsible drivers. However, there are some who are not as responsible. This bill is aimed at those drivers. It will require them to act in a more responsible and safer manner.

As I said, the 401 happens to go through the middle of my municipality and is almost, as in Toronto, I guess, part of the road system of my municipality. There's a great benefit to having the major highway of the province going through your municipality, but it also acts as a natural barrier. We have bridges over the Grand River to connect parts of my city. We also have the same problem now with the ever-expanding and heavily trafficked 401.

That requires some degree of partnership between the municipalities in the province to accommodate the increasing traffic in Cambridge and our area.

The Townline Road interchange: There will be a formal announcement soon of \$3 million from the province, matching our municipal partners, to replace the bridge, with more lanes and to make access lanes safer and to upgrade traffic for commuters. The bridge not only services the municipality, but because of the off and on ramps, it also can lead to traffic problems on the 401 if the flow of traffic is not able to escape on the road system in the municipality fast enough. We have a similar problem on Highway 8 with the Homer Watson interchange, which is presently being worked on, and of course there is the Cedar Creek Road-Highway 97 interchange.

Improvements to these interchanges will make the 401 a safer highway, but the important part is that because of the increased traffic on the 401 and other 400 series highways in Ontario, we must take a new look at regulating trucks, at what lanes the trucks can use. I think Bill 50, as proposed by the member for London-Fanshawe, is a good start, a new look at how traffic should be regulated on our controlled-access 400 highways. This bill could and will save lives, and that should be the primary concern of the members of this House.

1050

Mr John Gerretsen (Kingston and the Islands): I am very pleased to get up on this bill. As a frequent traveller on the 401, from my hometown of Kingston to Toronto on a weekly basis, I can well understand the member's frustration in sometimes getting behind these large trucks and being unable to pass them, particularly when they go much slower than the speed limit, sometimes for miles upon miles.

I totally concur with the previous member that 99% of the truckers who are out there are responsible individuals who drive their vehicles in a very responsible way, but just like everything in life, it's the 1% who insist on trying to pass somebody when they know they can't do it, sometimes holding up traffic behind them for probably anywhere from five to 10 kilometres. We've all suffered from that. As well, quite often, particularly when the weather conditions aren't all that great, they cause a potential hazard on the road.

I can well understand the member's frustration and why he wants to do something about this. This is a very positive move on this member's part, one of the very few positive moves we've seen from this government in the last five years, so I would like to congratulate him on that. But I would suggest to the member that if he really feels that strongly about this, he petition the Premier and ask to become the parliamentary assistant to the Minister of Transportation, because then he could get involved in so many of the other transportation issues in this province.

The reason I'm saying that, Mr Speaker, is that you and I know there are many highways in Ontario that are not currently four-lane highways that should be made

into four-lane highways. Look at what's happening along Highway 69, for example, that death alley from Parry Sound to Sudbury and from Parry Sound to Highway 400, where over the last 18 months some 26 lives have been lost, and where over the last three years about 374 people, minimum, have been injured. I say to the member, yes, this is an important issue, but what is even more important are those roads that we know—that you and I know, that the ministry knows—are of extreme danger to the motoring public of the province. Why don't we insist that they be four-laned as quickly as possible? If he would put that kind of energy into taking that kind of action, then lives can be saved, injuries can be prevented and the motoring public in the province would be a lot better off for it.

I understand this bill has the support of the CAA, the Police Association of Ontario and the Ontario Provincial Police Association. I would like him to tell the members of the House whether or not this bill has the support of the Ontario Trucking Association. We all know that if we want to have a booming economy out there, in this day and age, when probably a large percentage, although I don't know what the percentage is, of goods and materials we consume on an ongoing basis in this province, and if we want to move to other jurisdictions, particularly in exporting jurisdictions etc—do we have the support of the Ontario Trucking Association? The highway system moves most of our goods and services, particularly in a booming economy, and I'm sure they would have a different answer than what he's suggesting in this bill.

The other thing I would strongly suggest is that he put just as much effort into ensuring that the 400 series highways become three lanes as quickly as possible throughout the entire province. I know the ministry has been doing some work in that regard in the last number of years. If the whole 400 series highways were three-laned throughout this entire province, you could then put a ban on allowing trucks, for example, in the extreme left lane and have that lane just available for emergency vehicles and for passenger cars.

But having said all that, I will be supporting this bill. I think it's at least a method by which we can bring it to the attention of the ministry, perhaps hold some public hearings on it to get the views of the general public on this situation, because I know many of the people who travel the 401 and the 400 series highways have exactly the same concerns that this member has expressed in this bill.

The Deputy Speaker: Response? The member for London-Fanshawe.

Interjections.

The Deputy Speaker: I apologize. Further debate? Apparently there was some time left that I didn't know about.

Mr Wayne Wettlaufer (Kitchener Centre): Yes, we have a minute and 40 seconds left, Speaker.

I am pleased to stand in support of this bill. Unlike the member from Kingston, I am not going to try to straddle both sides of the fence. He says what the member for

London-Fanshawe should do, but then he says he's going to support it. I will support the bill. I'm not going to say for a minute that there aren't flaws in the bill, but that is the purpose of sending a bill to committee if we pass it in this House today.

For instance, right now the government uses regulation 608 to restrict truck traffic in the left-hand lane on those highways on which there are three or more lanes. Do we need something a little more severe? According to the OPP and the Police Association of Ontario, we do, and I think that in the interests of road safety we do have to look at something a little more strict than what we have.

Presently, regulation 608 does provide the authority that the member for London-Fanshawe wants on some of the busiest highways. However, we have to look at what this bill provides. It provides a little bit more driver visibility and it reduces frustration. I think that is the important part here, and this is what the police are looking at. We have so much road rage in this province, and we're trying to restrict that a little bit. The member for London-Fanshawe has done a very noble job.

The Deputy Speaker: I apologize again to the member for London-Fanshawe. Response?

Mr Mazzilli: I'm glad to see all the members of this Legislature have read the bill and analyzed it thoroughly, but on the issue of highway improvement I would certainly support, on the basis of economic reasons, highways being expanded, whether to two lanes or three lanes, but not for highway safety. The more lanes you have, the more lane changes there are going to be. I said before, the two main causes of accidents in urban settings are turning movements, particularly left turns, which are very dangerous. On the highway, I have not checked with the Ministry of Transportation, but I will bet one of the top reasons is lane changes, and that's what this tries to prevent.

Yes, regulation 608, the ministry argues, covers commercial vehicles. I want to clarify the definition: class A vehicles. They're the tractor-trailer's heaviest load, and 608 applies to some sections and it also says that a sign indicating commercial motor vehicles are prohibited has to be up, because that's in the regulation. If that sign is not up, it's not enforceable, because you haven't met the regulation. I have not seen a lot of those signs along the highway, which means it's not enforceable.

When you have rules on different parts of the highways and you have the global economy that we do and truckers coming in from all over, how can they be expected to know that in one section you're supposed to do this and in another section you're supposed to do that? So let's clarify. Let's make this amendment and get rid of some of the old regulations that perhaps are obsolete. The member from Barrie asked why I left the exceptions in there. It's because exceptions for emergency vehicles—possibly large fire trucks, which are class A, road maintenance vehicles—will be prescribed by regulation. So the member from Kitchener said there are flaws. I've left it like that intentionally. It's been well thought out, and I certainly hope I have the support—

The Deputy Speaker: I want to thank you. The time for debate on this ballot item is now expired.

1100

PROTECTING THE PRIVACY
OF CRIMINAL JUSTICE
PERSONNEL ACT, 2001

LOI DE 2001 SUR LA PROTECTION
DE LA VIE PRIVÉE DU PERSONNEL
DU SYSTÈME DE JUSTICE CRIMINELLE

Mr Levac moved second reading of the following bill:

Bill 27, An Act to protect the families of police officers and others involved in the criminal justice system / Projet de loi 27, Loi visant à protéger les familles des agents de police et d'autres personnes oeuvrant dans le système de justice criminelle.

The Deputy Speaker (Mr Michael A. Brown): The member for Brant has 10 minutes.

Mr Dave Levac (Brant): For the sake of the members here and the general public, I'd like to review the bill. Bill 27, as stated, is An Act to protect the families of police officers and others involved in the criminal justice system.

Organized crime is just that: organized. We need to send a message loud and clear that we shall be and we will be, we are, organized. We need to make sure that the people who work inside that system who are going to be prosecuting and arresting and doing all of the things that we need to do to fight organized crime are protected, because we have a very, very large problem, and that problem is intimidation.

Intimidation cannot and must not be accepted, and we need to send a message loud and clear from this House to organized crime and gangs that we are not going to allow you to intimidate those people who work for our safety. Their safety must be protected in order for them to do their job. In a moment I will explain to you very clearly why that's not being done.

This bill attempts and will try to stay to the message, with help from every member in this House, that we must protect them, to show that organized crime, as organized as it is, will not be protected from us, and we will be just as organized as they are and send a message loud and clear that no one in this province shall go unprotected.

"The bill would create a board to examine issues regarding the collection, dissemination and safeguarding of personal information about personnel involved with the criminal justice system. The board would be composed of representatives chosen by the Attorney General, the Solicitor General, the Minister of Correctional Services, the Privacy Commissioner, the Chief Justice of Ontario and various police associations. The board would be required to make recommendations to the Legislative Assembly every year."

With those recommendations, we will be able to analyze, review and disseminate that information to the proper ministries in order for them to do one of two

things: (1) Correct the procedures that they're presently using that makes it too easy to access that information, or (2) Improve firewalls, if you will, around that information around those personnel so that we do not provide easy access to that information.

Quite frankly, we are making it too easy for that information to be obtained, and we must take a step in order to stop that from happening.

Some people say that this is a "me too" bill, "me too" meaning that the NDP or the Liberals or anyone else other than the government of the day is trying to jump on the bandwagon. Quite frankly, if anyone in this House decides to use that as a rationale not to support this, I say shame on them. But let's move to what we really should be doing.

I'm not going to assume that they're not going to support the bill. Quite frankly, I think the opposite. I believe that this bill will encourage all of us to work co-operatively together to solve this very, very serious problem. Why? Because I believe that our process which we are now engaged in allows us to move this bill into the next phase of reading. That goes to committee, and inside that committee we are now going to be able to collectively work together, which we do for the people out there. We do work collectively and collegially together as three parties when we go to committee to work for the best possible legislation once it's passed, to make sure that amendments are offered, to make sure that changes are made to these types of bills so that we can get the best protection possible, in this case, to the citizens and to those people inside the justice system.

To move right along, I don't think I really need to review the bill other than to say that I need to explain the mandate of the board. Of the people who are mentioned to form the body or the core, that allows, quite frankly, the board to enlist those other professionals out there that can help us with this. Computer experts, people that have access to information, those people who work in other ministries in this government can ask to sit on that board in order to help them improve their circumstances.

Why is the bill needed? It's pretty obvious, but I want to review with you some of the information we've obtained.

The Toronto Star recently revealed that organized crime figures regularly use personal contacts to access Ministry of Transportation databases. That's not acceptable. We need to firewall that information.

Correctional officers have reported to us that following an inmate assault on an officer, the incident report contained the officer's personal information and the inmate got the report. What we're basically saying is that a person who assaulted the officer was then given a report that allowed them access to the officer's personal information. Unbelievable, but a problem. This bill would try to address that.

Some biker gangs have Web sites now—and this is really interesting—and on that Web site they post pictures of officers in their uniforms with the statement underneath, "They watch us, we're going to watch them."

We need to find ways in the computer world, in this Internet world, in the dot-com world, in which we can firewall—that means to simply try to put up a big wall around that information to protect those people who work in this system.

Parole and probation officers report that they have to park their cars away when certain individuals come to report to them to prevent them from obtaining their licence plate number and, in turn, accessing their home address. Some people say that's not doable, but quite frankly if one person can access that information, that's one person too many.

I will let you know that we do have some support. Brian Adkin, the president of the OPPA, recently stated that the spread of this personal information caused him great concern, for him personally and for all of his charges that he's responsible for in terms of the OPP. That sentiment is held by many, many organizations. These types of incidents weaken our justice system through intimidation and all of the other things that you know could happen with organized crime and biker gangs. This bill speaks to that very gently, very clearly, that we're organized too and we want to take action.

What would this board do? If passed, the bill would establish this board consisting of police, parole, probation and correctional officers, crown attorneys, judges, representatives of the privacy commissioner and police associations to provide us with information and recommendations of what we need to do at the legislative level to protect that information and to make sure that all ministries are operating in a way that does protect that information and keeps it, to the best of our ability, out of the hands of those who would use it to intimidate.

Speaker, just so that we can make sure you understand, we've now got stories coming out of Quebec, because it's been happening there longer, that licence plate numbers were sold to biker gang members by people who work inside the ministry. We need to do something about this.

We may hear that, yes, there's a few problems and we need to shore it up. I welcome those amendments. As a matter of fact, I'm probably going to look at an amendment myself. The crown attorneys got in touch with me and said they need specific information. They would like to share with this committee and be part of the board. I welcome it. So the Ontario Crown Attorney's Association have expressed concern about the access of this information of their members. They would like to be represented on the board and I would welcome that as a modification to the bill.

The Canadian Association of Crown Councils are interested in this. The chiefs of police are interested in this. The OPPA is interested in this. The PAO is interested in this. Parole officers, probation officers, anybody who has been involved in this is interested in this bill and wants to work hand in hand with the entire government, with the entire opposition, with the Legislature that simply says, "Let's get this to committee. Let's work through this and let's find the best way that we can to

protect those people who work in that system so that they can protect us.”

Is anyone against this bill? I’m saying to you boldly that no one’s against the bill. What they may say is, “Let’s try to find another way to do this.” I welcome the opportunity to do that at committee. I encourage and implore the members of this Legislature to pass this bill on to committee so that we can do a just job and make sure that those people who provide safety and security, who fight organized crime, who fight biker gangs, are protected solely. We must do everything we can to tell organized crime, “You’re organized; so are we.”

1110

We’re going to make sure that you are, to the best of our ability, protected on an ongoing basis. The important thing to point out is that not one ministry is going to take care of this; this is going to be done by the grassroots people and they’re going to make sure that all of the possible information that’s available is disseminated and given to us, to make sure that we’re doing the right thing for them so that they can do the best thing for us.

I’m encouraging everyone to support this bill and maybe give us some input as to what we should do in order to correct the bill at committee level. That’s the place where we collectively work together to make sure that we pass the best possible legislation we can for the people of the province of Ontario. I’m asking everyone to support this bill so that we can get on with the job of telling organized crime, “Not in our province.”

The Deputy Speaker: Further debate?

Mr David Christopherson (Hamilton West): Let me say at the outset that it’s the intention of the NDP caucus to support Bill 27. We have some concerns about specific aspects of it, and I’ll comment on those as my remarks progress. But at the end of the day, I’d be very disappointed if the government members weren’t on side with this. In fact, only one thing would be acceptable if the government members—and they’re all backbenchers; there are no ministers in the House—don’t support this today: then I would hope it’s only because you’ve gotten assurances from the Solicitor General that indeed something is going to be done, because this is a very valid issue. I want to commend the member for Brant for raising this.

As a former Solicitor General of the province, I know a fair bit about the issue of organized crime and the issue of police officers and their role as peace officials, but also their role as citizens and as people and as workers and moms and dads and brothers and sisters. This is a legitimate concern that everyone, in my opinion, regardless of your political philosophy, should be concerned about.

One of the absolute fundamental necessities of democracy is an open, unbiased justice system that recognizes everyone’s fundamental rights and provides due process. A key component of that is the individuals and how they see their role in that justice system. I want to say to the member for Brant, through you, Speaker, that I can just well imagine not only how those police officers feel

about seeing their pictures and names and other personal information on the Web site of a biker gang, but also how those family members feel. How do you think the spouses of those individuals feel—the moms and dads, the children? The intimidation is insidious because it’s not something overt.

As we know, one of the toughest things we have to do in this place is to constantly balance the rights of individuals and the rights contained in the Charter of Rights and Freedoms in this country versus our need to make sure that we give police and other justice officials the tools they need to enforce the criminal laws of this province.

Taken to its extreme, it’s not unusual to read in the papers of the day where judges, crown attorneys, police officers are virtually publicly executed, particularly those judges and crown attorneys who have stood firm and said they are going to do everything they can to prosecute organized crime members.

It’s very rare in Canada to hear of a judge being threatened or intimidated directly. It happens, but not that often. More so with police officers, probation and parole, crown attorneys, but there’s nothing at all in this world to say that we couldn’t be five or 10 and 15 years down the road, if we don’t do something now.

We have an opportunity to deal with a fundamental part of our justice system, and that is the protection and the rights of the individual whom we ask and give responsibility to for ensuring our safety and that our rights are protected as citizens.

As I was reviewing the bill, I do want to say that I understand there’s some question about the governance issue, and I can understand what that is. I take it from a little different point, I say to the member from Brant, and that is that if I take a look at all the individuals who would comprise this board, that’s a lot of governance and a lot of infrastructure and a lot of—and I’ll say it—expense to deal with an issue that I think probably could be dealt with effectively, given existing structures and existing responsibilities, particularly those responsibilities that are in the direct hands of the Solicitor General and, by extension, the Attorney General of the province.

I would hope we’re going to hear from the government members that that’s exactly what’s going to happen, because we all know that private members’ bills, especially opposition bills, don’t often see the light of day in terms of becoming law. This issue is one that we cannot afford to see left unresolved.

Let me take a minute to talk about this government’s approach to the justice system. It ought to be worrisome that in addition to the kind of intimidation that the member from Brant is recognizing and focusing on here today, there are other aspects of the criminal justice system where this government is letting the people down, notwithstanding your—and I’ll acknowledge it—somewhat public reputation as being law and order. But that just comes from being blindly tough; that’s not justice.

One of the fastest, if not the leading, segments of the American economy right now is the building and manag-

ing of prisons. The United States and Canada have the highest incarceration rates in the world. If putting more people in jail alone solved crime, then the United States would be the safest place on this planet. There's a lot more to justice and law and order than just being tough. Sometimes you've got to do that, no question, but if that's the beginning and end of how you would deal with the justice system, I say to the members in the government, you are—I've got to remain parliamentary—not being totally frank with the public.

Keep in mind this is a government that makes such a big deal about passing the Victims' Bill of Rights. I can't remember how many times I heard former Attorneys General of this government stand up and talk about: "We care about victims," "We're going to bring in this bill," "We've brought in this bill," "Now we're debating this bill," "We've passed this bill," and, "There you are. We're the only government that ever really cared about victims, and there's the proof, our legislation, and we're the only ones to do it."

That all happened, but what else happened? That very same government sent government lawyers into the courtroom to argue that two women who were victims and asked that the rights they thought they had in the Victims' Bill of Rights be enforced—the government lawyers were sent in at the behest of this government to argue—get ready for it—that the victims didn't have those rights in the bill.

1120

Judge Day was very clear about what he thought. I'm going to paraphrase. Basically he said it was just politics, it was rhetoric, it sounded good but he had to agree with the government lawyers that there really weren't any rights in that bill. Shameful, absolutely shameful, after making all that noise about passing a Victims' Bill of Rights, that you would send in government lawyers to argue that two women, two victims, didn't have the very rights you said they had.

I want to say that's just indicative of this government in terms of the difference between what they say and how they might label a bill and what really happens out there in the world. Go take a look at some of the environmental legislation this government has put through since 1995. It talks about enhancing protection and enhancing the guarantee of cleaner air and water, and they did exactly the opposite.

Whether or not the Walkerton inquiry ultimately makes a direct link between the cuts you made and what happened in Walkerton, you can't deny that you went in there and massacred the Ministry of the Environment while at the same time your Ministers of the Environment stood here, looked all of us in the face and the public in the face and said, "Yes, we are strengthening the protection of the environment." That's absolutely not the case, no different than this Victims' Bill of Rights.

I want to hear what this government is going to do about the increase in gated communities. I've always believed, even before I came here, that it's the middle class, those of modest income and those in poverty who

need the police the most. If you've got enough money, you can live in a gated community, and at some point—we're beginning to see it more and more in the States, and there's no reason to believe it's not going to happen here if this government doesn't take direct action to prevent it—the hiring of private police to patrol those gated areas. If you've got enough money, just like you have the ability to buy the kind of health care you want for your family and the kind of education system you want for your family, you can also buy the kind of peace and security that everyone wants but that doesn't exist because things are underfunded.

So we're building more jails, privatizing them so that a profit can be made, allowing gated communities to be created, allowing slowly, insidiously the introduction of private police, underfunding, from the provincial point of view, the police services in all of our communities across the province and introducing laws that you say mean one thing and that you walk into courtrooms and argue mean exactly the opposite.

All of these things you have done, in the name of tax cuts and the almighty dollar, feed into this issue of the justice system because it's all about quality of life, it's about hope, it's about the future, whether we're thinking about our children or it's our children looking ahead to the future. We had the kind of province where that promise was there, and we always thought of ourselves as different from our neighbours to the south. They decide to build their society one way and that's their sovereign right. We chose a different direction, and you've been dismantling that step by step. I don't believe for one minute that you deserve at all the reputation that I acknowledge you carry in terms of law-and-order issues.

In conclusion, I've no idea what the government members are going to say. I would hope that they would support the concept and recognize the importance of this issue. Again I want to compliment the member for Brant, even though he's from the opposing party to me. I believe he cares and I believe he has brought this forward because he has identified a vulnerability in our justice system that needs to be corrected. If the government can't support this bill, then please, please indicate to us today that you have assurances from the Solicitor General that this issue will be dealt with.

I've mentioned all these things about the justice system, about our society, because I believe that the ability of anyone or any entity to intimidate, directly or indirectly, anyone involved in the justice system hurts that justice system. When the justice system is hurt, then the people's rights and their ability to have the security they're entitled to and the quality of life they're entitled to are also hurt, are also affected by that.

Let me end on this note: police are our neighbours. They are a part of our society. They are out there on our behalf, whether in the courts or on the streets or in the probation offices. The very least we can do as legislators is to ensure that we are giving these justice officials all the tools and all the protection they deserve by way of our saying, "Thank you for what you do," and making sure they have the tools to do it.

Mr Garfield Dunlop (Simcoe North): On a point of order, Mr Speaker: Would everyone in the House welcome the grade 5 class from Sacred Heart School in Midland?

The Deputy Speaker: That is not a point of order, but we welcome you.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to speak on Bill 27, the bill brought forth by the member for Brant. I commend the member for his efforts. The government takes the issue of protecting personal information very seriously, and we support the bill in principle. Protecting the personal information of justice sector officials and their families is of particular importance. These people can become the targets of intimidation and harassment by criminals. This must not be tolerated, and it's very important to maintain the integrity of the justice system in Ontario.

The policing community, however, has expressed concern over some aspects of Bill 27 as it is currently written. The proposed board's report and recommendations would be made public. They are concerned that this information could be used by those attempting to obtain personal information of justice sector officials and would prefer to work directly with the government to ensure confidentiality.

This is from the policing community; it's a letter to Mr Levac from Chief Bruce Davis, who is the president of the Ontario Association of Chiefs of Police and happens to be chief of police within my riding of Barrie-Simcoe-Bradford, the South Simcoe Police Service. I'll read the second paragraph. He states, "We feel uncomfortable, however, with the establishment of a board, another level of bureaucracy to oversee this privacy issue. Would it not be better and more efficient to build on and strengthen our existing structures, ie, the information and privacy commission, a body responsible for addressing these types of concerns, rather than establishing a new, separate board? When we open discussions on the problem and solutions to the general public, it seems that we could potentially also be sharing information on new systems, procedures with some of the same public that we are trying to exclude from access to sensitive information." End of quote from Chief Bruce Davis, president of the Ontario Association of Chiefs of Police, expressing his concerns to member Levac from Brant with respect to his proposal.

Also, Brian Adkin, who's the president of the OPPA, Ontario Provincial Police Association, with respect to the board component states, "The board would report to the Legislative Assembly through the Speaker and would be required to table an annual report on its activities, thereby making public the matters considered by the board and possibly exposing weaknesses in the system, to the benefit of the criminal element."

These policing associations are showing fundamentally that there are serious flaws in the member's bill. The aspect they're referring to in the bill is subsection 4(1), where it says, "The board shall report annually on the affairs of the board to the Speaker, who shall cause the

report to be laid before the assembly." Obviously that would be made public. Why did the member put that in there? Perhaps he wasn't thinking clearly on the issue of what's going to happen.

1130

Today we heard the former Solicitor General, the member for Hamilton West, dripping with hypocrisy with respect to the need for this particular bill. He was a Solicitor General and quite frankly he obviously did nothing—

The Deputy Speaker: Order. You will need to withdraw "hypocrisy."

Mr Tascona: Yes, Mr Speaker, the dripping part.

The government understands the concerns that the member is trying to accomplish. The bill also—

The Deputy Speaker: I'm sorry. Was that a withdrawal?

Mr Tascona: It's withdrawn. I did want to make sure what we were dealing with, Mr Speaker.

The bill also appears to duplicate the role and responsibilities of the Information and Privacy Commissioner of Ontario. The mandate of the commissioner includes conducting research on privacy issues and ensuring the Freedom of Information and Protection of Privacy Act is complied with.

The government does not support duplicating government services. This government strongly supports justice sector officials as they work to enhance safety in our communities, often at great personal risk. I think that's the intent of the bill, and that's what we support.

Our government has implemented a number of initiatives with respect to strengthening our justice system and the policing part of it: the community policing partnerships program, by adding 1,000 net new front-line officers throughout the province; the government worked with the policing community to construct the Ontario police memorial honouring fallen police officers, which I attended recently; the Sergeant Rick McDonald Memorial Act. We were the first province to impose severe penalties on criminals who take reckless flight from the police. The public safety officers' survivor scholarship fund program: this \$5-million grant was established to provide scholarship assistance covering tuition and books to spouses and children of public safety officers who died in the line of duty.

The government takes its role of law enforcement very seriously. Those are all the comments I have.

Mr Bruce Crozier (Essex): I'm pleased to stand today to support my colleague Mr Levac from Brant in his Bill 27, which has been outlined and explained by him.

It's interesting to hear the member for Barrie-Simcoe-Bradford say that they support this bill in principle. To me, that means that they kind of support the bill but they're probably going to vote against it, and I want to encourage them to support it. This is a bill that brings to our attention an issue of extreme importance in the province. I think we should give this member, in private members' time, recognition for that, and adequate recognition would be supporting the bill.

We're not, any of us, without any concern about what the details of the bill should be. I think there have been suggestions made this morning and there may be some made in further debate as to the specifics and what the bill should contain and how it may be amended.

I'm one who has always, and will continue to, advocated the issue of privacy. I think our personal, individual privacy is the most important thing we have in a democracy. What we need then is legislation and rules and protections of that privacy. I guess there isn't any level of government or bureaucracy that is without some record of having the issue of privacy invaded. I think back to the Province of Ontario Savings Office, where private information, with the consent of the government, was put in private hands. That's a concern. I think, as well, of Ministry of Transportation records that are being sold today that contain information that some of us feel should be simply our own private business.

So whether this is a board, whether the Solicitor General's office or whoever may be involved in it, I think it's an issue that we all should take heart in and we should support.

You will recall recently—within the past year or so—there was a glaring example of how harmful private information can be, particularly when it involves someone in our justice system, if it gets into public hands. The chief of police of a major metropolitan area in Ontario had his address exposed by the media. It was not a criminal who did this—although some might think the particular media that exposed it verges on that. It was the media in our province. That kind of thing shouldn't happen, because it gives information to the criminal element that they may or may not have had. I wouldn't be surprised if they had that information anyway.

Also, this bill is not without its supporters. The member from Barrie-Simcoe-Bradford read a couple of letters that expressed some concerns—and legitimate concerns—concerns that could be addressed if and when this bill is passed and sent to committee. For example, the Police Association of Ontario in a letter addressed to Mr Levac said, "We endorse the need for legislation to safeguard information in specific areas such as the Ministry of Transportation. The fact that criminals can access this information is a growing concern and threat to our members." They go on to say, "Our only comment on the proposed legislation is that it may be too broad in nature and should be targeted at specific areas." A legitimate concern, but they "appreciate and support the intent of this legislation" and have therefore written this letter.

The Ontario Public Service Employees Union says, "As a representative of correctional officers across Ontario, I'd like to give my support to Dave Levac in passing his private member's bill, Protecting the Privacy of Criminal Justice Personnel Act." That's signed by Barry Scanlon, the chair. In this letter he points out a couple of examples that some of us might not have considered before. Certainly I hadn't heard of any specific examples of where there are problems, but I'll just point out the three that he has:

"The following are just a few of the problems facing correctional officers across the province:

"Correctional officers are concerned about their safety and the safety of their families due to private information falling into the hands of inmates involved in organized crime.

"Inmates have gained access to private information on correctional officers in the past, subjecting officers to harassing phone calls and intimidation.

"Correctional officers are easy targets for retribution due to the extended periods of time they spend with incarcerated offenders."

That was contained in OPSEU's support for this legislation.

The Probation Officers Association of Ontario, in a letter sent to Mr Levac, has said, "The Probation Officers Association of Ontario would be willing to participate in a committee to examine issues of this nature and make recommendations that would enhance the safety of those working in the criminal justice system." They "certainly welcome efforts intended to enhance safety of officers and their families."

In letter from the Toronto Police Association over the signature of Craig Bromell, the president, says, "As the Toronto Police Association continually strives to find methods of implementing safeguards to protect our members and their families, it is encouraging to know that the police officers of Ontario have your support and that you have proved this by putting forward your proposal."

There is lots of support there. There are associations, groups and individuals who would like to have the opportunity to address the problem that's been brought forward by this bill.

I would encourage government members to give their support to it so that we can move on with this very important issue.

1140

Mr Dunlop: I'm pleased to rise this morning and discuss the member for Brant's private member's bill, Bill 27, An Act to protect the families of police officers and others involved in the criminal justice system.

I would like to compliment the member on his efforts in bringing forth this bill. I don't always agree with the member on some of his initiatives, particularly on privatization issues, and we've had our disagreements on that, but he has introduced some very good legislation in the past. I was particularly pleased to see his private member's bill, Bill 107, the Firefighters' Memorial Day Act, pass second and third readings in the fall last year, especially in light of the deaths since then of two firemen, Dennis Redman of St Thomas and Patrick Carey of Toronto.

I know that any time we have a private member's bill pass at the end of a session, it's a good feeling. The same thing happened to me a year ago with the ignition interlock device. It's good legislation. I think all members of the House are pleased to see this type of information passed on.

I am speaking in favour of this bill, in principle, but I share the same concerns about some of the legislation that the member for Barrie-Simcoe-Bradford shares, as well as some of the issues brought up by the policing community about the bill. I also share the concerns that the legislation seems to duplicate the role and responsibilities already given to the Information and Privacy Commission of Ontario, whose duty it is to conduct research on privacy issues. The creation of another board or agency to do the same work as a commission already in place may not be a wise investment in government resources, although we will hear about that as more discussion takes place.

Mind you, I do share his concerns about the protection of the identity of police officers and correctional officers as sensitive information. I attend a lot of functions, particularly with the Ontario Provincial Police, and I know how close so many of the families are to their husbands and wives who are police officers. I don't think criminals should be able to access any kind of information on anyone at all in the province, let alone police officers and those others who are involved in the criminal justice system.

Over the past six years, our government has enacted a number of laws designed to help police officers perform their duties. Some of those laws, and we've mentioned a couple of them already this morning, include Christopher's Law, Bill 31, which just came into effect on April 23 of this year. The legislation requires persons residing in Ontario who are convicted of a sex offence anywhere in Canada to register with the police in their community within 15 days of the completion of their sentence and to provide a current address. Those persons have to update their registration within 15 days of a change of residence and on an annual basis. Ontario is the first province in our country to develop such an initiative.

We have created the Ontario Police Memorial, a memorial recognizing fallen police officers. As most members know, the Ontario Police Memorial is across the street and each year we celebrate the memorial day on the first Sunday of each May.

I won't speak a lot on the rest of the bill, other than to say that I support the legislation in principle. I look forward to further comments from the other members in this House. I thank you for the opportunity to say a few words here today.

Mr Rick Bartolucci (Sudbury): I rise in support of Bill 27, An Act to protect the families of police officers and others involved in the criminal justice system. I commend the member for Brant for the outreach he has done with regard to this bill.

I believe it is imperative, regardless of partisan political stripe, that we provide maximum opportunity to protect the families of police officers and other people involved in the justice system. Very shortly I am going to relate some of the experiences I had when I was a member of the Sudbury Regional Police Services Board. Back then, in the late 1980s, we were called police

commissioners; now we're members. The reality is that the experiences we have as members of a police services board would want you to support this legislation.

Before I do that, the member for Barrie-Simcoe-Bradford referred to a letter from the Ontario Association of Chiefs of Police and I think left the distinct impression that the chiefs of police of Ontario were against this type of initiative. The member from Barrie-Simcoe-Bradford read the second paragraph. Let me read the third paragraph from Chief Bruce J. Davis, president of the Ontario Association of Chiefs of Police: "Our association is prepared and more than willing to meet with you and/or other stakeholders to further discuss this issue and work together toward creating a safer environment for police officers," etc.

Clearly the Ontario Association of Chiefs of Police wants this to be passed at second reading and wants it to go to committee because they want to have their input. At least this is what Chief Bruce J. Davis, the president of the association, is saying.

So I would suggest to the government members to support it more than in principle. Support it in reality. Pass it at second reading, refer it to committee and let's debate it, refine it and make alterations to it, but at the end of the day, with Bill 27 we should have something in place that protects the families of police officers and others involved in the criminal justice system.

I would now like to relate some of my experiences as a former police services board member-commissioner. I want to talk about the Greater Sudbury Police Service for a moment, under the very good guidance of Chief Alex McCauley, Deputy Chief Jim Cunningham and Superintendent Ian Davidson. We are a seasoned police force of approximately 241 officers: veterans like Dave Bedard, Grant Howard, with 28 years and who runs Crime Stoppers, Bob Keitch, Susan Evans, Al Asunmaa, Dave Linney, who is the head of the police pipe band, Brian Insley, who is the past president of the police association of Sudbury, veterans like Rob Thirkell and Robin Tiplady. We have young police officers who are just beginning their careers, people like Sheila Weber, Hally Moran, a former student of mine, Natalie Giommi, Mark Brunet, Steven Russell and Glen Greenough.

We gave a dynamic police force, but we have a history in Sudbury of having lost some excellent police officers, people like Joe MacDonald and Rick McDonald. I believe this type of initiative put forward by the member from Brant provides maximum opportunity to protect those front-line officers who put their lives on the line every single minute of every single hour of every single shift they work.

In the late 1980s when I was a police commissioner in Sudbury, I was the chair of the police complaints committee. Citizens back then had a right at the local level to go to that next level if they weren't satisfied with some policing action in their city. I have to tell you that I had some very interesting cases that we had to deal with as a complaints committee. I had some very angry people come to see us and give us their side of the story, and we

as a committee had to weigh and make a decision as to which direction and who we were going to support in the individual cases.

I made it a point once we had reached a decision—you write the decision and you send a formal letter to the complainant so that he or she clearly understands what the decision of the committee is—to go and visit the people who had complained after we had reached a resolution, because I wanted to ensure that both sides were satisfied with the decision. I have to say that in all cases, that wasn't the case, and I saw some very angry people after that decision was made. I saw some very angry people who threatened to do very bad things to police officers. Some of them would even threaten their families.

So I suggest to you as responsible members of the Legislative Assembly of Ontario that we are commissioned, commanded to do our utmost to ensure that our police officers and those people involved in the system are protected to the satisfaction of all concerned.

1150

That last phrase, "to the satisfaction of all concerned," is very, very important because I want to ensure that this bill gets to committee so that all the stakeholders come together. If it is redefining what the board should consist of, so be it. If it is redefining what the terms of reference should be, so be it. If it means redefining the time limitations, so be it. But allow the people of Ontario who are directly connected to our justice system the opportunity for input.

I implore the government to support Bill 27.

Mr Frank Mazzilli (London-Fanshawe): It's certainly a privilege to speak to Bill 27, and I want to commend the member from Brant for coming up with this issue and this initiative.

Let's be clear: this all started from what we've heard in the media about Ministry of Transportation officials pretty much everywhere, where someone has obtained information that belongs to a police officer or a correction officer or someone in the justice system. That causes an enormous concern and one that we should attempt to minimize.

We heard from a former Solicitor General in this Legislature, the member from Hamilton, who said that obviously this can be dealt with in another way, and I think it can be, from that perspective. This can be done by regulation. Is it going to cover everything? Probably not, because something that's in this act, and it's not defined very well, is "others." What we see from organized crime now is that the "others" are becoming a pretty significant group.

Let me explain why. Not long ago, while travelling to a couple of communities in Ontario on the Crime Control Commission, I was hosting some public forums on body-rub parlours. I went to Niagara, and a large community group made up of citizens, church groups, and residents came out for that forum. I went to London, my home community, and the industry of body-rub people came

out, along with organized crime and organized criminals belonging to local bike gangs.

Let's make it clear what they were there for: they were there for intimidation. They showed up with cameras to record people who attended the public forum, to try to intimidate citizens from getting up to the microphone and speaking freely. When we talk about "others" in the justice system, what I saw that evening was an attempt to intimidate media who attended with cameras to record the event. You saw the hands go up in front of the cameras and some confrontation between some organized criminals and the camera people in the media.

So that should not be a surprise. We saw what happened in Quebec with a member of the media who covers organized crime. And let there not be any mistake in this Legislature that politicians will not be a target of anyone who attempts to silence organized crime. They will attend your forums; they will try to intimidate you. In my case it didn't work because I've dealt with that for many years, so it's part of the process. I would just mention the fact that the London Police Service attended and many good friends were there, so I certainly had nothing to be concerned about. But this is what we will face as legislators.

I believe that the concept of this bill certainly needs to be enacted. The Ontario Provincial Police Association, the OPPA, and others feel that organized crime should not have access to their members' information in relation to Ministry of Transportation documents, and it should be extended to others in the justice system: correctional officers, perhaps judges, and so on.

Like the member from Hamilton East said, this can be done through another means, through a simple regulation allowing that to happen. I hope that's done. Let me make that clear: I hope that's done. Is that going to prevent others from being intimidated? No. Let's get used to it. These people are playing for keeps. They are playing for a large amount of money.

My forum had to do with body-rub parlours. Make no mistake about it: the vast majority of them are controlled directly or indirectly by organized crime. We start from the assumption that they're legitimate businesses, and I admit that. In its regular form it would be a legitimate business of people going in for a body rub, but they go way beyond that. If you travel your communities, you will see that many of these locations are owned or controlled directly or indirectly by organized crime, and if you choose to get in the way they will make it difficult for you to go about your business. So anything that we can do to deter organized crime, I will support.

The Deputy Speaker: Response, the member for Brant.

Mr Levac: Of course, I'd like to start off by thanking the members for London-Fanshawe, Simcoe North, and Barrie-Simcoe-Bradford, and in particular the way in which I was responded to by the members from Hamilton West, Sudbury and Essex.

It's very important to point a couple of things out. The government on that side has been giving us information

why not to do it. What I want to make perfectly clear is that we should be saying, "Why not?" We should be doing it and then working together—"How can we do this?"—instead of poking holes in it using half paragraphs in letters, when the other half says very clearly, "We want the action, we need the action and we implore you to take the action."

Some of that information was being used to say why they may or may not vote against it, but I'm saying and charging the government, we'd better act on it. Forget that it's a private member's bill. Forget that I'm on it. If you want to take it, take it, but do something, because the police officers, the crown attorneys, the correctional officers, the parole officers, the probation officers, the judges, the privacy commission personnel and their families are imploring you, "Do something about it." There is no excuse whatsoever on that side to say, "We are already doing enough." It's not acceptable. We are never doing enough with this particular issue, because it is organized. We must send the message clearly that we too are organized.

Some of the points made that we have stuff already here with which we can do it—it's not being done. The privacy commission itself directly—I spoke to two officials plus the privacy commissioner herself—said, "We support and endorse the concept." So quite clearly they're saying that it should be done by them, but they're saying, "We want you to do it right here." So let's send it to committee for the sake of all the people I just listed. We have to act.

The Deputy Speaker: This completes the debate on ballot item number 12.

IMPROVED SAFETY ON 400 SERIES HIGHWAYS ACT, 2001

LOI DE 2001 SUR LA SÉCURITÉ ACCRUE DES ROUTES DE LA SÉRIE 400

The Deputy Speaker (Mr Michael A. Brown): I will now put the question with regard to ballot item number 11.

Mr Mazzilli has moved second reading of Bill 50, An Act to improve safety on 400 series highways. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it. Carried.

Pursuant to standing order 96, the bill is referred to committee of the whole House.

Mr Frank Mazzilli (London-Fanshawe): Speaker, may I ask to direct it to the standing committee on justice and social policy?

The Deputy Speaker: Mr Mazzilli has asked that the bill be sent to the standing committee on justice and social policy. Is it agreed? Agreed. So ordered.

PROTECTING THE PRIVACY OF CRIMINAL JUSTICE PERSONNEL ACT, 2001

LOI DE 2001 SUR LA PROTECTION DE LA VIE PRIVÉE DU PERSONNEL DU SYSTÈME DE JUSTICE CRIMINELLE

The Deputy Speaker (Mr Michael A. Brown): We will now deal with ballot item number 12.

Mr Levac has moved second reading of Bill 27, An Act to protect the families of police officers and others involved in the criminal justice system. Is it the pleasure of the House that the motion carry? Carried.

Mr Dave Levac (Brant): I would like to move that it be sent to the standing committee on general government.

The Deputy Speaker: Agreed? Would all those in favour please rise and be counted? Opposed? A majority of members being in favour, the bill is referred to the standing committee on general government.

This completes private members' public business. We will stand adjourned until 1:30.

The House recessed from 1202 to 1330.

WEARING OF RIBBONS

Mr Pat Hoy (Chatham-Kent Essex): On a point of order, Mr Speaker: I ask for unanimous consent to wear these purple ribbons in memory of Theresa Vince, who was killed in the workplace.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

MEMBERS' STATEMENTS

SEXUAL HARASSMENT

Mr Pat Hoy (Chatham-Kent Essex): Last week I attended the fifth anniversary of the tragic death of Theresa Vince. Theresa was murdered in Chatham within days of her retirement by the workplace supervisor who had sexually harassed her for years. Through expert testimony at the Vince inquest, we learned that Theresa was not the first woman to be killed after experiencing workplace harassment, nor even the second or third. In a 12-year period, three other women had been murdered in the same circumstances.

Sexual harassment is a crime and this government's tolerance toward it cannot continue. Today, with the family and friends of Theresa Vince in the gallery, I will be introducing a private member's bill in Theresa's memory that we have consulted on for the past year. It is an amendment to the Occupational Health and Safety Act that will provide an effective remedy to immediately stop sexual harassment in the workplace, remove dangerous behaviour and keep workers in their jobs.

I want to pay tribute to Marion Boyd, the former member for London Centre, who first took up the battle

for Theresa and all women who experience harassment. On behalf of the Chatham-Kent Sexual Assault Crisis Centre, which has worked vigorously for a safe environment for Ontario women, I am committed to carrying on this fight. I am honoured also that Geri Sanson, a well-known Toronto human rights lawyer, was instrumental in the development of the drafting of this bill. I welcome Geri, along with Michelle Schryer, Joy Lang and members of Theresa's family.

All women should have the right to full, equal and safe participation in the workplace. This is an issue that transcends all party lines. I urge the members opposite to put an end to sexual harassment in the workplace by supporting my bill.

Interruption.

The Speaker (Hon Gary Carr): Just before we begin, the members of the gallery will understand that even clapping isn't allowed in here, unfortunately. I know they were just trying to be polite, but unfortunately even the members of the gallery aren't allowed to clap. We appreciate your co-operation in that matter.

HEALTH CARE

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I'm pleased to announce that the Halton-Peel region is ranked as one of the best places in Canada to get health care.

The Maclean's survey this week found that of 54 regions in Canada, Halton-Peel is third and got the best score outside British Columbia.

I would like to quote from the Brampton Guardian, which said in an editorial yesterday about this ranking, "Part of the success must go to the Mike Harris Tories. We know a large number of people ... aren't going to like hearing this, but when they first came to power six years ago, they promised to fix our health care system." The editorial went on to note, "Maybe the amalgamations have worked."

Premier Harris has stood his ground and worked hard to address our health care challenges and the people of Brampton and Malton know this. Maybe Mr McGuinty and the Liberals should help find solutions instead of spreading fear and panic among Ontario's working families.

On behalf of Brampton Centre MPP Joe Spina and Brampton West-Mississauga MPP Tony Clement, I would like to recognize the volunteers, nurses, doctors and administrators whose hard work and dedication have enabled Halton-Peel to be ranked third in Canada in this survey.

COMMUNITY CARE ACCESS CENTRES

Mrs Sandra Pupatello (Windsor West): Just recently we heard some very alarming comments from the MPP from Niagara that we have got to bring into this House. These comments are unacceptable about home care services in the Niagara region.

What is happening in the Community Care Access Centre in Niagara? They are facing an over \$9-million shortfall in being able to deliver quality services to the people of Niagara. What does Mr Maves have to say about this? He says they should prioritize. He says they shouldn't be providing homemaking services like vacuuming and cleaning.

Where has the MPP for Niagara been? They have not been doing this service since 1997. Why? Because they don't have the funding to provide a very minimal level of service for some people, mostly women, mostly elderly women, to allow them to live independently in their own homes. That's the kind of representation we need to change in the Niagara region. When we hear comments like this, we've got to say, "Stop." We've got to say, "Prioritize and put the people of Niagara first."

It is telling on this government that you're prepared to look at elderly and frail people in your community and say, "You should be prioritized to the bottom of the list." Ontario Liberals under Dalton McGuinty say no.

GOLDEN HORSESHOE MARATHON

Mr Bob Wood (London West): I rise today to recognize the third annual Golden Horseshoe Marathon. The marathon is intended to raise community awareness of disability issues, promote a positive image of disability in the community and raise funds for the planned Rehabilitation Resource Centre in Hamilton.

The Golden Horseshoe Marathon 2001 began June 3 in Niagara Falls and will end today at Queen's Park, for a total distance of 210 kilometres, with these outstanding athletes wheeling 42 kilometres per day for five days in a row. Citizenship Minister Cam Jackson and I, along with other supporters of the marathon, will be joining them and wheeling along in chairs for the final two kilometres.

These inspiring athletes are Charlie Cetinski, Flamborough; Bruce Petrie, Burlington; Chuck Mealing, Fort Erie; Andrea Burkholder, Kitchener; Les McLaughlin, Mississauga; and Pascal Ribreau, Toronto.

The Golden Horseshoe Marathon athletes are six individuals who have all experienced spinal cord injury. The Rehabilitation Resource Centre at the Hamilton Health Sciences Corp that the athletes are helping to develop will provide a one-stop information and peer support service. The location promotes the best possible access for newly disabled people as well as those involved in the lifelong learning required to manage disability through follow-up outpatient contact.

I ask that all members of the House join with me in congratulating these fine, outstanding athletes and thanking them for helping to make their community and province a better place in which to live.

PORTUGUESE CANADIAN COMMUNITY

Mr Tony Ruprecht (Davenport): I rise on behalf of Dalton McGuinty and the Liberal caucus to recognize an

important event that took place in 1880 and has been recognized as such: Portuguese National Day.

The Portuguese National Day is very unique and special in the pages of history. Why? Because most countries celebrate an independence war or they celebrate a document or whatever. But Portuguese National Day is celebrated by Luso-Canadians today not because of a document but because they want to recognize an important writer and educator, Luis de Camões, who died over 440 years ago but is still celebrated today because he is an intellectual giant who stepped across the centuries and stepped across the Atlantic so that we too in Canada today can celebrate our poets and our writers and our educators, which this party forgets to do.

I say on this very special day that we recognize the great contribution Portuguese Canadians have made, not only to Canada but especially to the city of Toronto. But today their focus is not on economic opportunity. Today the focus, especially of the children of Luso-Canadians, is on Luis de Camões.

So I say to all those Luso-Canadians who celebrate their special day and all the members of the Legislature in Portuguese:

Remarks in Portuguese.

POVERTY

Mr Tony Martin (Sault Ste Marie): I want to take just a brief moment this afternoon to report back to the Legislature, to the members present and to the public out there that I've been travelling the province for the last six months, listening to people on the very disturbing issue of poverty, and I'm sad to say that my feeling or sense that poverty is wider and deeper than ever is being confirmed.

I've been to nine communities: Sault Ste Marie, Wawa, Elliot Lake, North Bay, Kingston, Huntsville, Kitchener-Waterloo and Hamilton, and I'll be in Ottawa in a couple of weeks.

Poverty has shown itself in many ways, but most importantly and most obviously by the level of homelessness we find, particularly in the city of Toronto. It's interesting that because other communities are now offering homes for an affordable price in places like Elliot Lake, they are now inheriting the problem as well without the resources to support the population that's coming to stay in those places. So we have a big problem, not only on our hands, but looming.

The other twist, the other obvious example of homelessness that I'm finding and hearing about as I cross the province, is the issue of families now abandoning children, not because they want to or they feel good about it but because they feel in their heart that somebody else has to be able to look after their children better than they can, so they're abandoning them.

So there is a problem out there and this government needs to be addressing it.

1340

ORTHOPAEDIC FUNDRAISING

Mr Garfield Dunlop (Simcoe North): I'd like to make a few comments this afternoon about an organization in our community that works tirelessly at this time of the year to bring awareness and to raise funds for orthopaedic equipment at the Orillia Soldiers' Memorial Hospital.

The Orillia-area team, the Hip Hip Hooray Team, a coast-to-coast organization, last week held two fundraising events. Mr John Feeney and his team of volunteers hosted their fourth annual golf tournament at beautiful Bonaire Golf and Country Club in Coldwater. Almost 200 golfers participated in the event and raised approximately \$15,000.

I should make it clear that many of those who participated and volunteered can now move around comfortably as a result of hip and knee replacement surgery. On June 3, Ms Charlene Taylor and Dr Ron Taylor and their team of volunteers hosted their seventh annual barbecue, entertainment and walkathon to raise funds for the same project. The event was held at the ODAS Park in Orillia. People of all ages attended the event in spite of some rainy weather. Again it was a success.

I would like to congratulate the Hip Hip Hooray Team of Orillia and area for a job well done again this year. I'd like to thank all the corporate sponsors and citizens who participated in this very valuable fundraising event. The monies raised will allow citizens to live normal lives with mobility and good health and happiness. I'd also like to thank them for including me in this event.

TOWN OF COBALT

Mr David Ramsay (Timiskaming-Cochrane): I'm pleased to acknowledge that the "Town that silver built," Cobalt, has been declared Ontario's most historic town by TVO's Studio 2. Cobalt, located adjacent to the towns of Haileybury and New Liskeard in the district of Timiskaming, is being hailed as the town that built the new Ontario economy. In a unanimous decision, three leading Canadian historians chose Cobalt over 100 other entries from across the province.

Cobalt's illustrious mining heritage began with the discovery of silver in 1903, which sparked one of the largest booms in Canadian history. In its heyday, there were more than 100 mines in operation in the Cobalt camp, and the town's population rose to more than 12,000 people.

This led to the opening up of northeastern Ontario and the establishment of the famed Kirkland Lake and Porcupine gold camps. It was these mining towns that generated most of the wealth of the province at the beginning of the 20th century.

It is interesting to note that the New York Philharmonic orchestra would overnight in Toronto on its way up to play at the Cobalt Opera House in those days.

Like many of the old mining towns, Cobalt is a shadow of its former self now. With a population today of 1,400, Cobalt draws on its historic past with attractions such as the Heritage Silver Trail, a self-guided tour through the old mine sites, headframes and open cuts where silver was literally scooped out of the ground.

Tonight on Studio 2, a 10-minute feature documentary profile of Cobalt will air at 8 o'clock, hosted by local journalist Charlie Angus.

I would encourage everyone to visit Cobalt this summer and witness at first hand the fascinating history of northern Ontario.

ANNIVERSARY OF D-DAY

Mrs Julia Munro (York North): I rise in the House today in commemoration of D-Day and our war veterans.

On June 6, 1944, D-Day began on the beaches of Normandy, France. This was one of the most complicated and largest assaults in military history, uniting the British, Canadians and Americans in their plan to take back Europe. A total of 175,000 troops were used in the attack, and of those, 14,000 were Canadian. At the end of the assault, there were 1,074 Canadian casualties, of which 359 were fatal.

I would also like to recognize the work of Sam Doggart, a World War II veteran and resident in my riding of York North. While D-Day remembers our fallen soldiers, Mr Doggart has initiated a flag and candle-lighting ceremony to honour our soldiers who did survive the war and came back to Ontario to build our communities despite the tragedies they had suffered.

The idea is to invite young people to participate in the ceremony, participation that Mr Doggart sees as essential in keeping our military history alive. Usually Girl Guides and Boy Scouts place the flags on the graves while the cadets place lit candles on the graves of our war veterans buried in Ontario.

Since beginning the campaign in February 2000, there have been four ceremonies held in Ontario. This ceremony is popular in British Columbia, where 12,000 candles were lit in 31 different communities last year.

D-Day is remembered in history as the crucial turning point in World War II. We will never forget our living and fallen heroes who fought for freedom and peace for future generations.

OMNIBUS LEGISLATION

The Speaker (Hon Gary Carr): On Wednesday, May 30, the member for Niagara Centre (Mr Kormos) rose on a point of order concerning Bill 57, An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain acts. The member indicated that this 95-page omnibus bill amends over 50 statutes, repeals several other statutes, and affects 15 different ministries. In an impressive and well-researched submission, the member requested that the Speaker rule the bill out of order because its contents

lacked a theme of relevancy. He also requested that, in the absence of a political solution to divide the bill, the Speaker should do so. I want to thank the member for his presentation. The government House leader (Mrs Ecker) and the member for Windsor-St. Clair (Mr Duncan) also made submissions.

I have had an opportunity to review the bill in light of the parliamentary authorities and precedents on omnibus bills. With respect to his first request, that is, that the bill be ruled out of order, the member indicated that we have reached the "point of no return" mentioned by Speaker Lamoureux of the Canadian House of Commons in his well-known January 26, 1971, ruling, and called on the Speaker "to bring democracy back to this Legislature."

The member conceded that some of the amendments in the bill were uncontroversial in that they were "benign and consistent with the theme of what is an acceptable omnibus bill." However, he was of the view that other amendments, such as those to the Occupational Health and Safety Act, were substantive and contentious.

Let me begin my response by stating the relevant criteria for determining the orderliness of an omnibus bill. As the member himself noted, page 192 of the sixth edition of Beauchesne contains the following citation:

"Although there is no specific set of rules or guidelines governing the content of a bill, there should be a theme of relevancy amongst the contents of a bill. They must be relevant to and subject to the umbrella which is raised by the terminology of the long title of the bill."

To this, I would add that as noted in rulings by Speakers of this House on June 10, 1997, and again on December 13, 1999, "A theme of relevancy is not achieved simply by virtue of what a bill's title says the bill does, or by the number of ministries a bill touches upon. A theme of relevancy is achieved when all the parts of the bill are linked in a tangible way."

To my knowledge, no Speaker in this House or any other Canadian jurisdiction has ruled a bill out of order for its failure to meet the above-mentioned criteria. Even so, I have no reservations in agreeing with the member for Niagara Centre and with many previous rulings in this House and other authorities that, in a proper case, it is procedurally possible for a Speaker to rule a bill out of order on this ground. Nevertheless, after carefully reviewing Bill 57 in light of the criteria, I find that the bill does not cross the line: its contents, including the amendments to the Occupational Health and Safety Act, are tangibly linked under the umbrella of the bill's long title.

In his second request, the member for Niagara Centre called on the Speaker to divide the bill on his own initiative in the absence of a political solution to do so. (The member noted that a political solution had been found with respect to contentious omnibus bills in the 35th Parliament.) My response to this submission is that there is ample authority for the proposition that it is for the House—not the Speaker—to divide a bill. In this regard, I refer to pages 617 to 619 of Marleau and Montpetit's *House of Commons Procedure and Practice*, and to rulings in our own House on March 24, 1994,

October 31, 1994, December 5, 1995, and May 14, 1996. Therefore, I cannot accede to the member's request that the Speaker divide Bill 57.

In so ruling, I have taken very careful note of the member's submissions respecting standing order 1(b), which became part of our standing orders in 1997. This being the first time that this so-called purpose clause has been referred to in the context of an omnibus bill, let me explain what it means and what it does not mean with respect to Bill 57. Firstly, it speaks to the right of members to submit matters to the assembly, and to have them determined by a democratic vote; it does not prevent a procedurally acceptable omnibus bill from being introduced, debated and voted on. Secondly, it speaks to the right of members to debate and vote on matters; therefore, if and when the government proceeds with Bill 57, there will be a debate and a vote on it as prescribed by the standing orders. Thirdly, it speaks to the right of members to hold the government accountable; with respect to bills such as Bill 57, the standing orders flesh out how members may do that. And finally, this purpose clause speaks to the right of members collectively to decide matters submitted to the assembly; this right will be exercised if and when Bill 57 comes to a vote.

Standing order 1(b), then, does not confer new substantive rights on members, but is rather a statement of purpose or principle that assists in the interpretation of the other standing orders.

In closing, there is nothing out of order, but again I thank the member for Niagara Centre for his very impressive and well-researched submission.

The member on a point of order?

Mr Peter Kormos (Niagara Centre): No. Thank you kindly, Speaker.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Garfield Dunlop (Simcoe North): I beg leave to present a report from the standing committee on general government and move its adoption.

Clerk at the Table (Ms Lisa Freedman): Your committee begs to report the following bill, as amended:

Bill 4, An Act to amend the Income Tax Act to provide a tax credit for contributions to registered education savings plans / Projet de loi 4, Loi modifiant la Loi de l'impôt sur le revenu en vue de prévoir un crédit d'impôt pour les cotisations versées à un régime enregistré d'épargne-études.

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1352 to 1357.

The Speaker: Mr Dunlop has moved the adoption of the report of the standing committee on general government respecting Bill 4, An Act to amend the Income Tax Act to provide a tax credit for contributions to registered education savings plans, as amended.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Agostino, Dominic	Galt, Doug	Munro, Julia
Baird, John R.	Gerretsen, John	Mushinski, Marilyn
Bartolucci, Rick	Gilchrist, Steve	O'Toole, John
Beaubien, Marcel	Gill, Raminder	Peters, Steve
Boyer, Claudette	Hodgson, Chris	Phillips, Gerry
Bradley, James J.	Hoy, Pat	Pupatello, Sandra
Bryant, Michael	Hudak, Tim	Ruprecht, Tony
Christopherson, David	Jackson, Cameron	Sampson, Rob
Churley, Marilyn	Johns, Helen	Sergio, Mario
Cleary, John C.	Kennedy, Gerard	Smitherman, George
Clement, Tony	Klees, Frank	Snobelen, John
Coburn, Brian	Kormos, Peter	Spina, Joseph
Cordiano, Joseph	Kwinter, Monte	Stewart, R. Gary
Crozler, Bruce	Lalonde, Jean-Marc	Stockwell, Chris
Cunningham, Dianne	Lankin, Frances	Tilson, David
DeFaria, Carl	Levac, David	Tumbull, David
Di Cocco, Caroline	Marchese, Rosario	Wettlaufer, Wayne
Dombrowsky, Leona	Martel, Shelley	Wilson, Jim
Duncan, Dwight	Martin, Tony	Witmer, Elizabeth
Dunlop, Garfield	Mazzilli, Frank	Wood, Bob
Ecker, Janet	McLeod, Lyn	Young, David
Elliott, Brenda	Miller, Norm	
Flaherty, Jim	Molinari, Tina R.	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 67; the nays are zero.

The Speaker: I declare the motion carried. The bill is therefore ordered for third reading.

INTRODUCTION OF BILLS

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT (SEXUAL HARASSMENT), 2001

LOI DE 2001 MODIFIANT LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL (HARCÈLEMENT SEXUEL)

Mr Hoy moved first reading of the following bill:

Bill 78, An Act to amend the Occupational Health and Safety Act to Protect Workers from Sexual Harassment in the Workplace / Projet de loi 78, Loi modifiant la Loi sur la santé et la sécurité au travail pour protéger les travailleurs contre le harcèlement sexuel dans le lieu de travail.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Pat Hoy (Chatham-Kent Essex): In memory of Theresa Vince, who was brutally murdered by a workplace supervisor who had sexually harassed her for years, the objective of this bill is to provide remedies for em-

ployees who experience such sexual harassment in the workplace. Almost a year of consultation between Geri Sanson, the Chatham-Kent Sexual Assault Crisis Centre, the family of Theresa Vince and others has produced a good bill that will, under the Occupational Health and Safety Act, require immediate investigation of any allegations concerning workplace-related sexual harassment, allow inspectors investigating a sexual harassment complaint to make an immediate order to stop the dangerous circumstance, provide the right for an individual to refuse work in certain circumstances after sexual harassment in the workplace has occurred, provide the right for an individual to be paid for workplace absence due to sexual harassment and require employers to take steps to prevent further occurrences of workplace-related sexual harassment.

LEGISLATIVE PAGES

The Speaker (Hon Gary Carr): Just before we begin question period, the members will know this is the last day for our group of pages, and I wonder if all members would please join me in thanking this wonderful group of pages for their efforts on our behalf.

Applause.

The Speaker: We wish them all well in their future endeavours.

ORAL QUESTIONS

EMERGENCY SERVICES

Mrs Sandra Papatello (Windsor West): My question is for the Minister of Health. You said yesterday that you were frustrated by the ongoing crisis in our emergency rooms. We don't think you should be frustrated, we think you should feel guilty, because we believe that you are the cause of the emergency room crisis now that has been hitting the Toronto area for the last couple of years. It is because of you. You closed emergency rooms, in Toronto alone, at the Wellesley hospital, Women's College, Northwestern, Branson, Queensway, Doctor's. Minister of Health, it was you that closed 2,200 beds in the greater Toronto area.

Will you stand up now and tell us you realize that it was your fault and that you are the one who has to determine how this is truly going to be fixed?

Hon Tony Clement (Minister of Health and Long-Term Care): I join the honourable member on the other side. None of us in this House, none of the hard-working staff in any of our hospitals—the nurses, the doctors and all the other staff—no one would like to see a preventable death in any emergency room or any health care facility. The fact of the matter that the honourable member neglects to mention is the new beds that are being opened, the new emergency services that are being made available. Just last month I participated in the opening of

a brand new emergency ward right here in downtown Toronto, across the road at the University Health Network for Toronto hospitals.

Since August of last year, we've committed \$46.5 million more for 649 new hospital beds, over and above. This is part of the \$700-million reinvestment for our hospital services and for our emergency services.

Mrs Papatello: Well, Minister, you keep saying you're doing all these things to "fix it." Let's do a quick review. In 1998, then-Minister Witmer announced she was launching a task force to "fix it." Then she announced the recommendations of the task force because that would "fix it." Then, right before the last election, the Premier of Ontario gallivanted across Ontario with big cheques to emergency rooms because he was going to "fix it." All along you've said you were going to fix it and you've done public relations about making announcements to try to fix it, and instead the problem's gotten worse.

On July 25, Witmer then said, with great fanfare, the flu vaccine was going to fix it, easing off the crisis at emergency rooms. Then in August of that year she said, "We are implementing a comprehensive emergency room strategy which will provide the health system with the flexibility to anticipate and respond to peak periods of activity." Yet, again, only to "fix it."

Minister of Health, you are the problem, and everything you have done so far has not gone to the root of what's really wrong with our emergency rooms across this province. Will you now implement Dalton McGuinty's plan to truly fix the problem?

Hon Mr Clement: I mentioned the great news at Toronto General with the new emergency ward there. I neglected to mention the brand new ER department at North York General, opened with \$3.1 million in funding from this government. The list goes on and on.

Clearly, this requires the hospital administrators, the provincial government, the ambulance drivers—we all have to be part of the solution. I can tell the honourable member that, for our part, we've been part of the solution financially, certainly with the \$705 million of new investments. From our point of view we have been working with the hospital sector and the ambulance sector to get the proper patient priority into the system and the proper resources where they are most needed.

Is this an ongoing challenge? It's an ongoing challenge. I met with the CEOs of the hospitals this morning. The CEO of Sunnybrook said, "My last job before coming here was as the CEO of a major hospital in Dublin, Ireland, where we had exactly the same problems." Clearly, these are global issues and we're working toward our solution.

Mrs Papatello: Global problem? You're the Minister of Health for Ontario to take care of Ontario patients. We want you to fix the problem right here in Ontario. You caused the problem and you expect everybody else to jump in to save your bacon.

Here's the problem, Minister; here's some information that you don't want to become public: in 1996, Toronto-

area hospitals had ambulances on re-direct—that is, saying to ambulances, “We’re full; you shouldn’t come here”—for 40 hours. In the year 2001, that number jumped to 194 hours.

Hospitals in the Toronto area in March 1996 were on critical care bypass—that is, “We’re full; you cannot come here”—for two hours and 41 minutes. In the year 2001, that number jumped to 191 hours—information that you don’t want to be public but we know is true.

Minister, you have information like this and you refuse to deal with the root of the problem: emergency rooms that you closed, beds that you closed. We insist you implement Dalton McGuinty’s plan now. You reopen those beds, because that’s what the system needs.

Hon Mr Clement: Again, the honourable member should have all of the facts at her disposal. The opening just last month of the new ER ward for Toronto General increased the capacity for just that one hospital from 67,000 visits per year to 100,000 visits per year. That is not including North York. That’s not including all the other reinvestments, all of the new capital campaigns, all of the new staffing campaigns that we have initiated with the hospitals, quite frankly as our partners, to get at this issue.

The honourable member has tongue firmly planted in cheek when she says the beds that we closed. Between 1985 and 1995 in this province, when we had NDP and Liberal governments, more than 10,000 hospital beds were closed in this province, worth over 35 mid-sized hospitals. We’re cleaning up the mess as fast as we can. Look on their side for the cause of the mess in the first place.

1410

The Speaker: New question?

Mrs Papatello: My question is for the Minister of Health. You’ve been there for six years and in six years you have made this system the worst in the history of Ontario. The numbers in March 2001 have never been this bad. You’ve had six years. Do you know what you’ve done in six years? You’ve gone on a public relations campaign making announcements, and never solving the problem. You have a responsibility to people who need care.

Here’s some interesting information: the number of paramedic hours where they could be caring for the sick instead of sitting in parking lots, which is currently happening, is over 10,000 hours of paramedic services just in the first four months of the year 2001. That’s under your watch, Minister. This is information the public ought to have, but you don’t want to tell them how serious this problem is, and those CEOs of Toronto hospitals told you the same information. It is important that you implement the McGuinty plan today to reopen those beds and stop closing those emergency rooms.

Hon Mr Clement: The honourable member should provide the House with all of the details. In fact, we are opening new beds, we are opening new emergency rooms. This is part of our \$705-million operating and capital campaign for Ontario, for Toronto, for the emerg-

ency wards, so that we can rebuild, restock, rehire and make up for the patient deficit that was caused by previous governments.

Yes, it takes time, but I can tell this House that these monies are being used. They are being used for new hires, they are being used for new beds, and I believe that is a positive development. Are there more things to do? Yes, there are more things to do. That’s why I was meeting with the hospital president this morning, to go through exactly what sorts of practices can be used to ensure that we do the best we can do for all of the patients who require emergency assistance. This process is ongoing and we will continue.

Mrs Papatello: Your short-sighted closure of 2,200 beds and six emergency rooms in Toronto led to the loss of over 10,000 hours of paramedic services in the first four months of the year 2001. Minister, one of the most disturbing aspects of this is, in March you just said to the hospitals, “You can’t do that any more. You can’t send them on redirect.” What did you think they were going to do? You never gave them the means to actually resolve the problems that you created. All it means now is, no one is documenting the numbers any more because you want to hide the problem. But the problem doesn’t go away. Now we get the hours of paramedics just sitting in parking lots or driving around town because they can’t get into an emergency room—over 10,000 lost hours, Minister, under your watch.

We are telling you that you have to impose a moratorium on the closure of emergency rooms. You need to reinstate at least 1,600 beds to solve the problem. The CEOs of the hospitals told you that. Who else needs to tell you before you’ll listen?

Hon Mr Clement: The CEOs of the hospitals didn’t tell me that, because that would not be truthful to me. I can tell the honourable member that we are coming from behind as a result of the 10,000 beds, worth about 35 mid-sized hospitals, that were closed during the NDP and the Liberal years. That was the eight ball behind which we had to operate. But we are operating in a way that is reinvesting in Toronto, in our emergency wards throughout Ontario. That’s where that \$705-million worth of reinvestments is going. That’s why we are reinvesting in staff. That’s why we’re reinvesting in capital campaigns. That’s why we’re reinvesting in procedures.

Yes, there is more to be done. That’s why we announced just two months ago the patient priority system so that we can triage effectively those who make their way to the emergency wards through ambulances so that we have an understanding of who is the sickest, who needs the help now and who can be helped a little bit later. That’s why we’re doing that and that’s why the honourable member should not be condemning that but should be supporting us in that.

Mrs Papatello: Minister, \$705 million of investments and you have not solved the problem. You ought to be fired. This entire government in six years has not addressed the real needs of patients in Ontario and we insist that you implement the McGuinty plan to resolve

the emergency room crisis. You need to reinstate at least 1,600 beds in this area alone. You need to place a moratorium on closing further emergency rooms, because the system cannot deal with it.

You have said all along, one minister after another minister after another minister, that you're going to fix the problem. Under your watch we now have a system that has never been worse, and that's after six years. Minister, you need to take responsibility for this. You need to solve the problem. Even if it means implementing the McGuinty plan to do it, we insist that you address the real problem.

Hon Mr Clement: I find it curious that the member to whom the honourable member is referring, who was part of a previous government, didn't speak up at that moment when they were closing 10,000 beds during that period of time. That's what I find curious.

But we are opening new beds. As of August 2000, 649 new beds including 401 permanent acute care beds—the new beds at TGH, the new beds at North York General. The list goes on and on because—

The Speaker: Minister of Health.

The member for Windsor West has asked a question. I'd appreciate it—no, it was you. I saw it and everybody could see it. You actually had your hands up. It's pretty tough to hide.

Minister of Health.

Hon Mr Clement: The investments keep on being made because this is a priority for this government. We make it a priority through our actions rather than through our rhetoric. That's why, as I mentioned, the ER department in North York had its ribbon-cutting just last year. That's why St Michael's Hospital, right in the downtown, had \$4.5 million allocated to it for more capital funding for its ER. These are just some of the investments that are being made by this government, because we put actions at a higher level.

The Speaker: New question. Member for Beaches-East York.

Ms Frances Lankin (Beaches-East York): My question is to the Minister of Health. I've sat in your office. I understand the complexities of the system. I also understand the irony in hearing you here today in this Legislature talk about over 10,000 beds being closed, when your government came into office and immediately moved to cut another \$800 million from hospitals without putting money into the community services. That cost further hospital beds, that caused further strain on community in-home care services and means every day in our hospitals there are patients who could be cared for outside, in their homes, who are, unfortunately, in crass language, referred to as bed blockers.

I have to tell you what the hospitals are saying to me. I spoke with the Ontario Hospital Association today as well. They're telling me that your plan, which sees immediate reduction in home care services, is going to make this situation worse. No amount of capital dollars to build new emergency rooms is going to free up beds that are taken up by frail elderly citizens who could be

taken care of in their homes. Yet you proceed with the cuts in services to community care access centres. Will you reverse that decision today and ease up the pressure on our emergency rooms in Toronto?

Hon Mr Clement: The honourable member does in fact have a point. We have recognized on this side of the House as well that part of the problem is to migrate those who can best appropriately be serviced through long-term care out of our acute care wards and out of our hospitals to the most appropriate kind of facility for them. That frees up the beds. That is why we have acted to ensure that there is more complex continuing care money, to ensure that we have more money that migrates those citizens out of the beds in the emergency wards. That's why we spent \$1.2 billion for 20,000 new long-term-care beds, as well as the reinvigoration and the renovation of some of the current beds, so that there is a place for these citizens to move to. So I agree with the honourable member.

When it comes to home care, the honourable member has got it wrong. We've increased home care spending by 72% since we got elected, and we are proud of the investment we have made in that particular health care sector.

Ms Lankin: Minister, while you plan for a slow migration, patients are dying on stretchers and in ambulances not two and a half blocks from this Legislative Assembly.

With respect to home care, please, will you acknowledge today that your budget announcement to the community care access centres tells them they will not be funded to the full extent of services that they provided last year? Last year they ran deficits. You funded the deficits. This year, you won't. As a result, they are cutting home care services. Those elderly, frail citizens are going to end up in our hospital beds, further making the backlog in emergency rooms a crisis.

1420

Minister, as an emergency step today, to address this crisis, please announce a reversal of your inane decision with respect to community care access centre budgets of this year.

Hon Mr Clement: I encourage the honourable member to review the estimates that were tabled just yesterday, which indicate, as I have been indicating to this House for days on end, that we are continuing with our reinvestment in community care access centres. The \$550-million fund that was announced just two years ago includes a \$64-million increase in the budget for that very promise that we are keeping.

So I encourage the honourable member to peruse the estimates at her leisure. The fact of the matter is we have reinvested in community care access centres, we have understood the importance of home care, we have been there, to the tune of a 72% increase in their budget since we got elected. The fact of the matter is they are an integral part of the delivery of proper health care services, and we are funding them to the extent that they need

to be funded; not a penny more, but not a penny less either.

Ms Lankin: Minister, I cannot believe the gall of the statements you have just made when there are elderly citizens whose services are being cut this week, as we stand and debate this in the Legislature.

I won't peruse your estimates, I know what the numbers are. I've been out there meeting with the community care access centres. What about here in the city of Toronto? Do you know today that at city hall, the community services committee has voted to ask city council to put more money into emergency services? A beleaguered city budget because of your downloading of things like ambulances, and they're trying to come up with more money. And you know what? More ambulances are not going to create more beds in the hospitals.

At the same time, when they're trying to come up with more money for these services, you have told hospitals that the combined additional need of \$750 million that they say they require to meet patient needs in this province, you won't fund. You're going to pass a Public Sector Accountability Act which is going to say "no deficits."

Hospitals need the flexibility, we need the home care services or else, Minister, more patients are going to die. Are you prepared to take responsibility for that inevitability?

Hon Mr Clement: The honourable member should be aware that in the Toronto region home care services have more than doubled since we got elected. The funding for home care services has gone from \$111 million when she was in power to \$238 million when we are in power, as of this year. We are proud to have recognized the chronic underfunding of the Toronto area by the previous government.

Let me also set the stage for the honourable member, because it is quite interesting to note that all of this funding is 100% provincial taxpayer dollars: zero dollars from the federal Liberals, zero dollars from Alan Rock, zero dollars for our seniors from the party that says it promotes compassion but does not put its money where its mouth is. The inconsistency is truly overwhelming.

Interjections.

The Speaker: Order. The minister's time is up.

Just before we begin, it is getting—

Interjections.

The Speaker: I was just going to say, it is getting too noisy in here. I would ask all members to please allow the questioner and the answerer to be heard.

EDUCATION FUNDING

Mr Rosario Marchese (Trinity-Spadina): My question is to the Minister of Finance.

Minister, you are rigging the public hearings on your unpopular private school tax credit. We propose—

The Speaker (Hon Gary Carr): I'm not going to allow you to use that word. You'll have to withdraw that, please.

Mr Marchese: I withdraw it.

We proposed 12 hours of hearings per day, starting in St Catharines tomorrow, so that citizens who work obviously could make those evening meetings. Instead, you've chosen to cut the hours down to five and a half. Your plan is to shut out and shut up the majority of citizens who oppose your tax credit/voucher plan.

My question to you is, why are you afraid to listen to the people of this province?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): To the member opposite, this is a committee of the Legislative Assembly, as the member opposite, I'm sure, knows. The committee decides on how it's going to conduct its own proceedings. That is not interfered with by the executive branch, and certainly not by me as the Minister responsible for the bill.

I understand the committee met, the MPPs met, and they decided on a fair formula, that each member has been given the opportunity to select members of the public to make presentations to the committee; that each member of the committee, regardless of the member's political party, is entitled to choose two witnesses and one alternate. The opposition parties, I understand, have also been given an opportunity to each call an additional witness. As a result, there is equality between the government and the opposition in the number of witnesses to appear before the committee. That seems fair.

Mr Marchese: I want to say to you that your government committee rejected the subcommittee report and imposed and prescribed their own. Not only have you cut the hours of hearings but you are trying to stack the list of speakers. That's what you've done. You have run over the traditional democratic process by doubling the speakers you get to appoint. These are supposed to be hearings for the public to have a say in the tax credit, and you're trying to make them into a rubber stamp for a tax credit that the majority of Ontarians oppose.

Minister, I say to you, you need to commit to stop making it impossible for ordinary citizens to come, and to stop stacking the deck so that only your people can come and be heard.

Hon Mr Flaherty: It is important for people to understand that this is a committee of the Legislative Assembly and that the committees of the Legislative Assembly control their own process and they decide on a formula for the calling of witnesses. I would think this is a fair formula given that each member of the committee, regardless of the political party of that member, will have an opportunity to select members of the public to make presentations.

I hope they hear from people like Simon Rosenblum, the former chief of staff to the finance minister, Floyd Laughren, who was quoted in this well-known publication inside Queen's Park as saying, "State-sponsored discrimination is not acceptable. Secondly, the experience of other jurisdictions tells me that you can do this without harm to the public system. I came to the conclusion many years ago that this is the correct public policy choice."

The Speaker: New question. The member for St Catharines.

Mr James J. Bradley (St Catharines): I have a question for the Minister of Education and government House leader. Minister, there is complete exasperation being felt in Niagara and St Catharines as a result of the chaotic circumstances facing the public hearings tomorrow. Until yesterday, no one knew even where the hearings were going to be held or what the specific times would be. Until late last week, nobody even knew there were going to be hearings in the city of St Catharines. To my knowledge, no newspaper has any ads in it—none of them at all. Despite that, because of your announcement, over 60 requests from outside the area have been made to appear before the committee, but the presenters won't even know until this afternoon if they're going to be making their presentations. Ultimately, they had more notice about this than you got from the Treasurer when he dropped this bombshell in your lap, but nevertheless, it's not much notice.

In the standing committee on finance and economic affairs this morning, the government refused to expand the hearings, as they should be. I ask the minister this: how on earth can you have meaningful, credible, reasonable, good public hearings under these totally chaotic situations?

Hon Janet Ecker (Minister of Education, Government House Leader): I am not sure what members of your caucus have been doing, but I know that members of our caucus have been very actively encouraging groups and supporters of government initiatives, of budget initiatives, to call up the clerks' office, to stay in touch with their office. I know some of our members, as soon as the decision was made about when and where hearings would be, have been on the phone to individuals. I know many of the organizations, both pro and con, have been quite anxious to come forward to a committee, to the government, to express their views. As you know, that's one of the reasons we all agreed that there should be public hearings on this. They've already submitted reports, submissions, letters, expressions of opinion.

I appreciate the honourable member's concern for the residents in his community and recognize that it is a bit short notice for this particular day, but I think everyone has been bending over backwards to try and ensure that citizens have the opportunity to put forward their views.

Mr Bradley: I want to say from the beginning that I do not blame the Minister of Education for this. I know where the blame lies on this particular issue.

Again, before the Minister of Finance dropped this bombshell in your lap for you to handle, for you to answer the questions in the House and to the people of Ontario, he probably didn't realize the issues that would arise from this. He didn't realize they would be asking whether teachers would need the same certification qualifications to teach in private schools as in public schools; whether private school teachers would be tested the way you're going to test public school teachers; whether the established school curriculum would be used in private schools as it is in public schools; whether

private schools would be subjected to the same kind of inspections, whether all students would be eligible to be admitted to these private schools and whether standardized tests would apply to those schools. The Minister of Finance didn't realize that when he dropped this in your lap.

1430

Minister, I ask you this: why don't you do something that would be extremely helpful? Why don't you divide the bill, separate the tax credit from the rest of the bill, and hold meaningful hearings across the province in the summer when people have lots of time to be able to prepare and make their presentations? Why don't you give people the opportunity to have valuable input on a very important piece of legislation?

Hon Mrs Ecker: I must confess that when the Liberals stand up and say they're on my side, it may be time for me to look for a new job.

I think we should be very clear here that on this side of the House we believe very strongly that when you have public hearings, when you put out legislation to hear concerns and comments, both pro and con, it's not a bad idea to let those issues come forward. That's indeed what we're doing in this case. I don't think it is appropriate for me as House leader, or for me as education minister, to say they should only talk about this or only talk about that. I think we'll hear what they have to say.

The other thing it's important to recognize about the policy that will no doubt be the topic of the hearings is that this is a policy, a proposal, to actually trust parents. I must say I was appalled to see that the Liberal candidate in the by-election in Vaughan-King-Aurora is actually saying it's crazy to put money in the hands of parents. I don't know about the Liberal Party, but on this side of the House, we think respecting parental choice, both inside the public system and with independent schools, is an important value.

ITER FUSION PROJECT

Mr John O'Toole (Durham): My question is to the Minister of Energy, Science and Technology. Mr Speaker, with your indulgence, I'd like to introduce in the members' gallery Ron Collis and Adrian Foster, who are members of the ITER community council in my riding of Durham. ITER is an international research initiative involving the European community, Japan and Russia. The goal is to establish fusion as a viable option for power generation. Although competitive bids are expected from France and Japan, as you know, Canada is strongly positioned to win the bid and to locate the international fusion reactor project in my riding of Durham—and the Deputy Premier and Minister of Finance, and Janet Ecker and Jerry Ouellette. It's a very important project for Ontario.

I understand that in the very near future, Canada will be submitting a bid to host the international research project related to fusion energy, which would be located in Ontario, as I've mentioned. Minister, would you tell us the status of this bid project and your direct involvement?

Hon Jim Wilson (Minister of Energy, Science and Technology): Thank you to my colleague from Durham. Ontario is in a particularly strong position, we think, in this bid because of our assets. We have a terrific nuclear power infrastructure, industrial and academic expertise, a stable electric power grid and a secure and dependable supply of tritium. Tritium fuel is used for fusion reactors and it's a natural by-product of our Candu reactors.

Today I am pleased to report to the honourable member and to this House that the federal government has finally agreed to support the launch of the bid to locate the ITER project in Ontario and that the bid was tabled at a meeting of the international ITER committee in Moscow earlier today.

I would urge the federal government to take their commitment even further and offer financial support, much like that being committed to by Ontario Power Generation and our government. Ontario Power Generation will commit the fully developed site with a value to the project of \$1 billion, and will provide the tritium fuel with a value of \$700 million over the life of the project. And we've committed \$10 million per year for 30 years. That's been the commitment of the Mike Harris government to this important research project.

Mr O'Toole: Minister, I'd like to thank you very much for that very comprehensive and timely response. As you know, on this project you've supported all of my requests, and the Minister of Finance, in the most recent budget, made it clear that Ontario is fully supportive of this important energy research project.

That being said, can you expand as to the scope of this project? I've heard people talk about the space station and the Olympic bid, and yet this international project is of great importance to Ontario and to the taxpayers of Ontario. Could you tell us today what the real benefit of this is to the hard-working taxpayers of this province?

Hon Mr Wilson: If we're successful in the bid, the research and development project would bring to Ontario 250 of the brightest scientists, the greatest minds, in nuclear science and would create 68,000 person-years of direct and indirect employment over the 30-year life of the project. It would obviously boost our high-tech industry in Ontario and create tremendous spinoff opportunities for a large number of companies in the local area.

In economic terms, it's projected that the project would inject about \$5.2 billion into the Ontario economy. More importantly, in case honourable members are missing the gist of this, this is perhaps the solution to the world's energy problems. If fusion can be found to be a safe, reliable, dependable, environmentally friendly way of producing electricity and power, it is a project well worth investing in. I thank the federal government for moving forward finally with the bid and I wish all those involved in the bid the best of success.

EDUCATION FUNDING

Mr Gerard Kennedy (Parkdale-High Park): I have a question for the Minister of Education.

The Speaker (Hon Gary Carr): A moment while she returns, please. I'm sorry, I didn't see her. The member may proceed.

Mr Kennedy: Minister, the people of this province depend on you and the assurances you make in this House. They depend on you as Minister of Education, and at one time they depended on you when you said that public money for private schools was a bad idea.

You said in this House on June 4 and your Premier said on May 29 that the money going into education is increasing this year by some \$360 million. In fact, on your own ministry-released figures, the amount of money available for students this year is not going up; it's going down by \$10 million. I want you to look at these figures, but I want you to respond because you may be in a position to do so already. Will you do the honourable thing today and agree that the figures you have been putting forward in this House are wrong and that you withdraw them and that you will not mislead the people of Ontario?

The Speaker: You have to withdraw that last comment.

Mr Kennedy: I withdraw it. Madam Minister, this is your opportunity to give the correct information to the people of Ontario.

Hon Janet Ecker (Minister of Education, Government House Leader): I'd be quite happy to give accurate information to the House. That's exactly what I've been doing over the past many weeks. It's unfortunate the honourable member chooses not to understand that we have. Education funding in this province is going up, as it should be, for the public education system: \$12.9 billion in 1995-96; it is now \$13.8 billion. Unlike previous governments, we don't think lumping in other costs, other expenditures—we could say we're spending more by adding in the teachers' pension plan, but what we think is important for parents to know is the amount of money that is going out to school boards to deliver quality education. We stand by our figures.

Mr Kennedy: Then you may fall by your figures, Madam Minister, because here on this page and now in front of you are your figures. We've sent them to the Provincial Auditor, but you may not have to wait for that, and we've sent them to outside referees at the faculties of education, but you don't have to wait for that either. What your figures show is that the amount of money available for operating last year was \$12.989 billion and this year it's \$12.979 billion. It has been reduced, by your own figures, and on an enrolment basis, the amount of money for students has gone down for every one of your members by \$40 per student on top of a reduction done previously.

Minister, you hid some money, or your staff may have done it inadvertently. It may be a mistake, but there's \$300 million you didn't report this year that was spent last year. This is your chance to fix it. We know you didn't do that just to balloon the amount of money that's being spent this year. We're certain you didn't do this to mislead the people of the province. We're sure you did

not. But in this important debate, we're starting these very brief hearings tomorrow—

The Speaker: Order. The member can't use that word in that context too. I know you were doing it in reverse, but I'm going to ask you to withdraw that. Please be very careful what you say when you use the word "misleading."

Mr Kennedy: I'm happy to take your direction on that.

The Speaker: Sorry, and withdraw it.

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Mr Kennedy: I withdraw.

Madam Minister, it is essential. There is a very short-lived debate that you are permitting to happen in this province. We've heard about how the committee is rigged. Will you withdraw—

The Speaker: Order. The member's time is up.

Hon Mrs Ecker: Mr Speaker, I do believe the honourable member also just said something that was unparliamentary as well. That seems to be his practice today. It's unfortunate that he would try to do that.

The figures are very clear. If he can't make the distinction between one-time bulk payments to school boards that were reported publicly over a year ago, I'd be quite happy to have ministry staff do detailed briefings with him. But public funding for public education in this province is indeed up, as it should be, and I believe that kind of growth in expenditure for public education, which is a growth above and beyond enrolment, should continue.

PUBLIC SECTOR COMPENSATION

Mr Doug Galt (Northumberland): My question is directed to the Minister of Health and Long-Term Care. Recently, a newspaper article written by Jim Flesher, the president of the Ratepayers Association of Quinte West, points out that four employees of the Quinte Health Care Corp make more than \$160,000, and 11 make more than \$100,000. That's up three from 1999.

Minister, \$160,000 is 50% greater than your salary, and it's my understanding that the CEOs in our other hospitals make more than this. Are there any guidelines or limits on hospital administrative salaries?

Hon Tony Clement (Minister of Health and Long-Term Care): I thank the honourable member for Northumberland for the question. I can advise the honourable member that under the Public Hospitals Act, hospitals in Ontario are and have been designated as independent corporations with independent boards of directors. Every hospital has, as part of its mandate, the responsibility for setting the salaries for its administrators. This happens typically in any form of corporation, business or otherwise. There are obviously top medical and other community leaders who are on the boards. To answer the question directly, that's how the salaries are set, by the boards that are independently constituted and outside the direct purview of the Ministry of Health and Long-Term Care.

Mr Galt: Minister, we have limited the dollars that can be spent on education administration and have maximized the dollars in the classroom. This ensures that students are indeed put first. In hospitals, the patient should come first and funding should indeed be patient-oriented. How will you ensure that dollars transferred to hospitals will be aimed at patients and not spent on excessive salaries and wastage in the health care system?

Hon Mr Clement: The honourable member has a timely and important point. Indeed, we should have the kind of transparency of spending that we take for granted, perhaps, in this chamber. That's why we brought in the sunshine law in the first place, to ensure that there is at least, in the first instance, public salary disclosure of those who earn more than \$100,000 a year in the public sector.

But I think we can do more. I think that's part of our accountability with the hospitals, part of our expectations that they reach certain benchmarks when it comes to putting patients first, when it comes to ensuring that the patient is the focus of their attention, their fiscal resources, their staff resources. I take the honourable member's question under advisement. As we move ahead with our accountability agenda for the broader public service and for the hospitals, I'll take his comments under advisement.

WALKERTON TRAGEDY

Ms Marilyn Churley (Toronto-Danforth): To the Minister of the Environment: the Walkerton inquiry tells us that your cabinet and the policy and priorities committee of your cabinet were warned in 1996 that your deep cuts to the Ministry of the Environment would increase the risk to human health and to the environment. Minister, is this true? Were you warned?

Hon Elizabeth Witmer (Minister of the Environment): As the member knows full well, the commission is presently taking a look at all of the information. I think it would be premature and inappropriate to prejudge the outcome of the inquiry.

Ms Churley: That's not what I'm asking you. Indeed, this is an inquiry. There is no gag order on any of you over there and particularly you, because you have not been asked to testify before the inquiry.

Minister, you were and are a member of the executive council and a member of P and P. Furthermore, you were the Minister of Health who should have had a direct interest in this warning. I'm going to say again, the Walkerton inquiry has said very clearly that your cabinet and P and P were warned that serious consequences could happen to our health and to the environment. I'm asking you to tell us: were you warned in 1996 that this could happen?

Hon Mrs Witmer: Just to set the record straight, in 1996, personally I was the Minister of Labour. I did become the Minister of Health.

I would like to also point out that the number one priority for our government has always been the protec-

tion of human health and the environment. As we move forward, we are continuing to take the necessary steps. Certainly the situation in Walkerton, which was extremely tragic, has contributed to everyone taking the necessary steps to ensure that we have the safest water anywhere in Canada. In fact, I'm pleased to say that Quebec this week announced a similar program, and they indicated in making their announcement that they wanted to adopt the same measures that we have taken in order to ensure that they have the cleanest water possible as well and that we can protect human health and the environment.

ACCESSIBILITY FOR THE DISABLED

Mr Steve Peters (Elgin-Middlesex-London): I've a question for the Deputy Premier. It's no secret your government's track record on dealing with issues affecting Ontarians with disabilities is less than stellar. Today I want to bring to your attention the shocking case of a resident in my riding, Ms Margaret Daugharty. Like so many other Ontarians who are blind or visually impaired, she relies solely on her family and friends for transportation. For her safety she requires a parking permit to place in her front window, yet this is what the Ministry of Transportation officials wrote to Mrs Daugharty:

"Unfortunately, we are unable to process your application because disabled person parking permits are issued only to a disabled person who is unable to walk 200 metres unassisted in eight minutes or less without great difficulty or danger to health or safety.

"Currently, blindness is not a qualifying sole factor, there must also be an element of danger to the applicant of the permit."

Minister, are you aware of this policy within your government? Just think about it. How did your bureaucrats come up with a ludicrous assumption that a blind person can walk 200 metres, unassisted, in perfect safety? Minister, will you make a firm commitment today in this House to address and rectify this situation that Marg Daugharty faces?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): The minister will respond.

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): I would like to thank the member opposite for his question. I'd like to reassure him that this issue has been identified by the government and we share your concern. That's why we are sitting down talking to municipalities about setting a common set of eligibility guidelines for all persons with disabilities seeking disabled parking permits in Ontario. I'm working closely with the Minister of Municipal Affairs and the Minister of Transportation to ensure that we can provide access to this kind of accommodation, which disabled persons rightly deserve in the province of Ontario.

Mr Peters: I'll certainly be happy to pass this letter over to the minister. But this letter didn't come from the municipality. This letter came from the Ministry of

Transportation, so how this is a municipal issue—this is a provincial responsibility that needs to be addressed.

Minister, I want to thank you, and I really urge you to look seriously at this issue. I'm going to send the information to you and to the Minister of Transportation to make a further commitment today to instruct the Ministry of Transportation to review all its policies with Ontarians with disabilities.

I strongly encourage you and you've just mentioned that you will consult with the people and meet directly with advocacy groups. I am personally more than willing to help facilitate those meetings, whether it be CNIB, the Hearing Society or, more importantly, the Ontarians with Disabilities Act Committee, who have yet to have a meeting with the Premier even though they've been trying for six years. These individuals have a wide spectrum of the issues facing persons with disabilities.

1450

But you know what the other problem is? We don't have a strong and effective Ontarians with Disabilities Act, something that your government promised in writing over six years ago, an act that has been supported unanimously in principle by this Legislature. Minister, will you make the commitment today to help Ms Daugharty out, make the commitment to review the issues facing persons with disabilities under the guise—

The Speaker (Hon Gary Carr): Minister.

Hon Mr Jackson: First of all, I want to acknowledge that I know the member opposite has expressed a lot of concern in this area. He's done some very important work in the community, and he's brought it to my attention, and I've thanked him for that publicly.

My reference to the municipalities is, and I'm sure the member is aware, that a lot of permits are issued by municipalities as well as by the province. I want to indicate as well to the member opposite that I have met with most of the members of the Ontarians with Disabilities Act Committee. We are engaged in a second round of discussions. We're looking at a whole range of reforms that will improve accessibility in this province.

But I remind the member opposite of two things: one, that Ontario leads our nation in accessibility programs for persons with disabilities—that's a record we're proud of—and, secondly, when I read through your Liberal Party research, you didn't make one single recommendation, so I'm pleased that you've saved it from the report but raised it in the House today. We're most anxious to hear what—

The Speaker: Order. The minister's time is up. The member for Scarborough Centre.

Ms Marilyn Mushinski (Scarborough Centre): My question is for the Minister of Citizenship. Like every member of this House, I have a significant number of constituents in Scarborough Centre who are disabled. We know that many of these citizens are active participants in the local economy, sharing their talents and their experiences with businesses that are eager to employ them and returning much of their income to the community

through businesses that are accessible to disabled customers.

One of the difficulties that disabled people encounter, though, is that much of our economy is not accessible to them. A significant number of people are prevented from spending their money in some restaurants, theatres and shopping districts because some of these venues are not accessible. Could you share with this House any information on what this lack of accessibility costs the provincial economy?

Hon Mr Jackson: I want to thank my colleague for the question, because this is an important question for members of the disabled community as well as for the provincial economy generally.

There's a recent report that's come out by the Royal Bank of Canada that estimates that Canadians with disabilities account for about \$25 billion worth of economic purchasing power. This is a very important statistic and it's a very important fact of life that we need our private sector to better understand, that persons with disabilities have every right to participate fully and financially in our economy, so much so that there are estimates on the impact for tourism that are very significant. This is a growing market, and Canada and Ontario are not receiving their fair share of disabled tourism activities. They say that there is as much as \$44 billion being spent by Americans with disabilities, and it's our intention to ensure that we become more tourism friendly for disabled travellers to our province.

Ms Mushinski: Thank you for that informative response, Minister.

I'd like to read a quote from Bob Ferguson's March 11 article in the Toronto Star. It says, "Toronto would become the most accessible city to the disabled if the city wins the 2008 Summer Olympic Games."

Given the potential market that persons with disabilities represent, could you please tell this House what, if any, action is being taken to make the city of Toronto, and indeed Ontario as a whole, a more accessible destination for persons with disabilities?

Hon Mr Jackson: Again, I want to thank the member for her question. I know members are all aware that the mayor of Toronto, Mel Lastman, is over in Europe right now selling Toronto as one of the more accessible cities in the world in preparation for the Olympics. He's able to do that because there have been commitments made by the government of Ontario to work more directly with organizations like the Greater Toronto Hotel Association, where we've jointly ventured to develop a service guide for the hospitality industry in Toronto. We've increased our funding to about \$200,000 a year to develop a community transportation action plan so that we can assist municipalities to be better able to transport persons with disabilities. We know that there are lots of activities that Ontario is engaged in with the municipalities. We know we can do more, but that is part of the commitment this government has made, and we'll see more when Ontarians with disabilities legislation is brought in later this year.

EDUCATION FUNDING

Mr Gerard Kennedy (Parkdale-High Park): A question again to the Minister of Education: Minister, on May 29, the Premier said that there were 360 million new dollars going into the public education system. You've had some figures in front of you for at least a few minutes. These figures are your figures. They are the ones your ministry has published this year. I notice you didn't repeat that 360 million new dollars in your answers today, because those figures show average per student funding down. They show total funding in operations down by \$10 million.

This is extremely important. The hearings start tomorrow. You have an opportunity today to make a clarification that will be of benefit for the debate and the discussion that we're going to have across the province. I ask you again, Minister, do you not agree now that there's been a \$10-million cut in operating funds to school boards and that the people of the province have a right to know that?

Hon Janet Ecker (Minister of Education, Government House Leader): First of all, the people of this province have the right to know the facts. School funding, funding to school boards, is up, over \$360 million for the upcoming school year.

Mr Kennedy: Then on behalf of students who are out there waiting, 35,000 of them, for special education evaluations, on behalf of students in Peterborough, on behalf of the member of Peterborough who did not bring it forward, we surfaced the textbooks that they're stuck with next year because you cut textbook funding in half: no new textbooks for your new curriculum in history, none whatsoever.

There are students out there who are going to be in larger classes, who are going to get lost sight of because of not enough money.

Interjection.

The Speaker (Hon Gary Carr): Member for Peterborough, come to order, please. Stop the clock.

Mr R. Gary Stewart (Peterborough): On a point of order, Mr Speaker: I would suggest that the member get his facts straight.

The Speaker: Will the member take his seat. It's not a point of order. Stop wasting our time. Member for Parkdale-High Park, I will remind him he has about 10 seconds to wrap up.

Mr Kennedy: There is money missing in education. There is \$1,100 that has been taken per student, and when you include inflation, which affects the ability of students to be taught in this province, there's another \$250 million—

The Speaker: Sorry, the member's time is up.

Hon Mrs Ecker: Thank you very much, Mr Speaker. I appreciate that. First of all I repeat: spending for education this coming school year has increased over 360 million new dollars. As the honourable member may not be aware, there are many envelopes—

Interjection.

Hon Mrs Ecker: No. As I've said, if he wants to have briefings by ministry staff so he can understand the figures, I'd be quite happy to do it. It's obviously proof of why we've needed to change from that old curriculum. He may not be aware that if a school board wants to take textbook money and spend it on other priorities in the classroom, it is their choice to do that. As a matter of fact, some school boards have done that. They've been very open with their community. One school board, for example, wanted to use textbook money for teacher compensation. They declared that to the public. The public re-elected those trustees. So perhaps he wants to second-guess their decisions—

The Speaker: New question.

YOUNG OFFENDERS

Mr Garfield Dunlop (Simcoe North): My question today is for the Minister of Correctional Services. A concern that many of my constituents who are parents share is that there may be a risk to their child at school from the student sitting even next to them. Under proposed changes to Canada's Youth Criminal Justice Act, Bill C-7, it is not mandatory for information about the criminal past of young offenders to be shared with schools.

The federal government doesn't seem to care that the safety of students may be compromised because a school may not know that one of their students has a history of violent behaviour or was convicted of even sex offences. Minister, how is it possible that the staff, school and those in charge of protecting our loved ones may not know the criminal past of the young offenders who are students in our schools?

Hon Rob Sampson (Minister of Correctional Services): I thank the honourable member for the question. He raises a very serious matter. All the justice ministers in this province had a number of issues with Bill C-7, which unfortunately has now carried in the House of Commons and is now in the hands of the Senate of this country. Unfortunately, the three justice ministers were shut out of any committee hearings around this particular legislation. It's shocking but true.

1500

If we were to have been heard, we would have raised to the Legislatures of this country a very serious issue around how young offenders are dealt with—

Interjections.

Hon Mr Sampson: Members from the Liberal caucus are barracking here. I wish you would listen, because this is a very serious matter about how young offenders are dealt with in the jurisdictions in which they have to serve their time, and outside. I think it's terribly appropriate for educators and those who have to deal with these individuals to understand their challenges when they leave the institution, to help them reintegrate—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up. Supplementary.

Mr Dunlop: It seems that the federal government does in fact have a different impression of what is needed to protect the public and hold young offenders accountable. The people of Ontario have been waiting too long for young offender legislation to finally hold young offenders accountable.

Minister, can you tell us what else Ontario calls on the federal government to do to put justice into the Youth Criminal Justice Act?

Hon Mr Sampson: I'd like to refer that question to the Attorney General.

Hon David Young (Attorney General, minister responsible for native affairs): First of all, if I may for a moment comment upon the initial question, let me say this: it is unfair to the young people in schools across this country not to ensure that the school administrators are aware of a criminal record of a new student coming into the school. That's what the trustees' associations have asked for across this country and that's what we have asked the federal government to do. That allows for the young person to be assisted, if he or she can be assisted; that allows for the protection of the other students in the classroom and for the staff.

We have come forward to the federal government on numerous occasions over the last little while and asked for meaningful changes to be made to the Young Offenders Act, changes that would include being able to publish the names of older young offenders, individuals who have committed serious crimes, changes that would ensure that if you commit an adult crime, you do adult time.

CONTAMINATED SOIL

Ms Marilyn Churley (Toronto-Danforth): To the Minister of the Environment: I am sending you some photographs showing that poison dust with nickel contamination levels 16 times above allowable limits, dust that may even contain highly carcinogenic nickel oxide, is blowing into homes less than 500 metres from a parking lot being built in Port Colborne.

Your staff were informed on May 30 that this project was about to begin. You did nothing, even though you must be aware that many of these homes are already contaminated. The residents were not even warned to take precautions.

Minister, unless you act now, today, that poison dust will be blowing into those homes 365 days a year. Will you this afternoon order that proper groundcover, at least, be put in place immediately to protect the citizens of the Rodney Street community?

Hon Elizabeth Witmer (Minister of the Environment): The member knows full well that this government's number one priority has been and is and will continue to be to protect the health of all local residents in Port Colborne.

The member also knows that Inco was present in that community until 1984, when they ceased to process nickel, following 60 years of emissions from the refinery.

We are the first government to take action in order to ensure that we can protect the health of the residents in Port Colborne, and we are doing so.

We are working with the local medical officer of health. We have continued to provide timely information to the residents, and we have continued to ensure that the medical officer of health is informed and is able to make decisions that are necessary to ensure the protection of the human health of those residents.

USE OF QUESTION PERIOD

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I would ask you to review the transcript of the question that was just posed by the member for Simcoe North. It is an extremely important public policy question, there is no doubt. The question referenced an important piece of legislation where there are significant differences of opinion.

My concern, Mr Speaker, is that it was a question involving a federal piece of legislation that had full public hearings in this country, was debated in the federal Parliament, was passed by the federal Parliament and became law in a proper parliamentary institution.

The original question was posed to the Minister of Correctional Services about a school issue and about whether or not those records should be—

Interjection.

The Speaker (Hon Gary Carr): Take your seat. On a point of order we are not going to have any heckling; no heckling from the government side. Sorry for the interruption.

Mr Duncan: The question had to do with what members opposite believe is a failure of that particular law on not notifying educators with respect to the criminal records of young offenders.

I would ask you, sir, to review that transcript (a) with respect to the appropriateness of the question to that minister, who on the supplementary himself passed it to the Attorney General even though it effectively dealt with an education question, and (b) when a law is duly passed by the federal Parliament, with full public hearings by duly elected members of the federal House—hearings, I might add, that are much more extensive than the types of hearings we have on a variety of issues—whether that constitutes an appropriate use of the time of this Legislature.

The Speaker: I thank the member.

Hon Janet Ecker (Minister of Education, Government House Leader): On the same point of order, Mr Speaker: For your consideration and to provide some additional information, the Young Offenders Act is legislation that the provincial government administers. It is administered through the Ministry of Correctional Services and through the Attorney General. Whether or not it is impacting on a school board or any other particular area in the province, I think it is certainly within the purview of one of our caucus members to ask a justice minister a question about the impact of that federal

legislation on a provincial matter, and that is what they have done.

The Speaker: I thank both members for their submissions.

Hon Rob Sampson (Minister of Correctional Services): On a point of order, Mr Speaker: I think it's important to understand that the justice sector, represented by the three justice ministers here, has a very keen interest in all the laws of this land, whether they be provincial or federal. As it relates to the criminal justice system, criminal justice acts are passed by the Parliament in Ottawa.

As it relates to the Young Offenders Act, we are all charged with administering that act in this province. It's a responsibility of my ministry to deal with young offenders. It's a responsibility of my ministry to respond to questions as they relate to young offenders. It's a responsibility of this ministry, if the act so allowed, to involve and participate with other people who have to deal with young offenders, indicating to them their behaviour patterns in institutions, what types of act they are involved in etc.

Had the act had the full public hearings the member referred to, we would have been able to make that point publicly. We didn't. We weren't allowed to. But as the minister responsible for the administration of that section of the act here in Ontario, I think I'm entitled to make that statement in this House.

The Speaker: One of the problems we have in this country is the overlapping of jurisdictions. It is very difficult, particularly in the justice field where the federal government passes the Criminal Code and it's administered by the province. I take his point very carefully. It is very difficult sometimes to know.

Having said that, up until now I have left it pretty much up to the members to decide questions, because I didn't want to interfere, as Speaker, in the questions being asked. But I will say very clearly, particularly to the government members, that if questions dealing with federal issues are out of order, I will be a lot quicker to get up. I put the government particularly on notice, warning that I and the table will be listening very carefully, and that if it doesn't relate to the minister's portfolio, I will rule it out of order.

Having said that, as all members say, it is very difficult to do that with our overlapping provincial and federal jurisdictions and money coming from the federal government, but I will try to the best of my ability to ensure that the questions, under the standing orders, relate to the ministers. It is a very difficult task to do that, but I'm going to be much stricter in trying to adhere to the rules under the standing orders. Hopefully I'll be successful in doing that. If I'm able to figure out some of it, hopefully it will be helpful to all members of this House.

I thank the House leader for the opposition as well as the House leader for the government. Again, we will be listening very closely to see if in fact questions are in order. I also say there may be occasions when we'll listen

carefully for the opposition as well. Up until now, I have taken the responsibility as Speaker of wanting to stay out of it as much as possible, but in light of what happens continually in here—members keep pushing it and pushing it—I say very clearly to all members of the House, I am now prepared to act.

BUSINESS OF THE HOUSE

Hon Janet Ecker (Minister of Education, Government House Leader): Pursuant to standing order 55, I have a statement on the business of the House for next week.

On Monday afternoon, we will continue debate on Bill 58. On Monday evening there will be second reading debate of Bill 60.

On Tuesday afternoon we will continue debate on Bill 58. On Tuesday evening we will continue debate on Bill 60.

Wednesday afternoon we will continue debate on Bill 60; Wednesday evening will be determined.

Thursday morning during private members' business we will discuss ballot items 13 and 14; Thursday afternoon will also be determined.

1510

PETITIONS

EDUCATION TAX CREDIT

Mr George Smitherman (Toronto Centre-Rosedale): I have a petition to the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government plans to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

Ms Shelley Martel (Nickel Belt): I have a petition that's addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I agree with the petitioners. I have affixed my signature to this petition.

Mr Joseph Spina (Brampton Centre): This is a petition signed by people from a riding that currently has no representative. They're from Woodbridge and King City, as well as from my own riding of Brampton and Minister Clement's riding. It is to the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or other religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I'm pleased to sign this and to have Vernissia bring it down to the Clerk's desk for me.

NURSES

Mr Steve Peters (Elgin-Middlesex-London): I have a petition to the Legislative Assembly of Ontario:

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions."

I'm in full agreement of this petition and have signed it. I'm going to deliver it to the table with Danielle Vanhie, who's a constituent of my riding of Elgin-Middlesex-London. I want to thank Danielle for her service, and present this to you.

EDUCATION TAX CREDIT

Mr Peter Kormos (Niagara Centre): I've got a petition and Katie, the page, is going to bring it to you on her last day at work here at Queen's Park. It's addressed to the Legislative Assembly of Ontario and it reads:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

Dale Dixon, David Onion, both of Perth, Ontario, and hundreds of others have signed this petition, as have I, sir.

The Speaker (Hon Gary Carr): The member for Bramalea-Gore-Malton-Springdale.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): Thank you, Mr Speaker, finally.

"To the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Sikh, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

In agreement, I affix my signature.

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario.

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

This is signed by several dozen more of the many thousands who are signing the same petition. I affix my signature. I am in full agreement with their concerns.

Ms Marilyn Mushinski (Scarborough Centre): I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Sikh, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I'm pleased to attach my signature to this petition.

HEALTH CARE

Mr Mario Sergio (York West): I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas we believe that universally accessible, publicly funded health care is sacred and must be protected;

"Whereas Mike Harris intends on turning his back on working families and transforming our system into an American-style, two-tier system where only the rich will get quality health care;

"Whereas we believe that Mike Harris had a secret agenda to promote two-tier health care in Ontario and now the secret is out,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not turn your back on Ontario's working families. Fight Mike Harris's agenda to destroy medicare and fight his plan to create a two-tier health care system."

I concur with the petition and I will affix my signature to it.

1520

DIABETES TREATMENT

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): "To the Legislative Assembly of Ontario.

"Whereas over 500,000 people in Ontario have diabetes; and

"Whereas to the expense of treating diabetes, many people cannot afford the ongoing expense of treating diabetes, and if left untreated or improperly managed, diabetes can lead to blindness, vascular disease, kidney disease, neuropathy and other problems; and

"Whereas today, more than ever before, people with diabetes can expect to live active, independent and vital lives if they make a lifelong commitment to careful management of the disease; and

"Whereas by providing the resources to successfully manage this disease, the government can ensure more

efficient health care for people with diabetes at a reduced cost to the health care system;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That all diabetic supplies as prescribed by an endocrinologist be covered under the Ontario health insurance plan."

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north, which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical location;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

This petition continues to be signed week after week by dozens of concerned constituents in my home riding, and I affix my signature once again in full and continued sharing with their concerns.

EDUCATION TAX CREDIT

Ms Marilyn Mushinski (Scarborough Centre): I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Sikh, Muslim, Jewish, Hindu or other religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of these students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I am pleased to affix my signature to this petition.

Mr Mario Sergio (York West): I have a further petition addressed to the Legislative Assembly of Ontario which I'd like to read.

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

This is part of a petition signed by 3,586 people, and I will concur by putting my signature to it.

ORDERS OF THE DAY

AMBULANCE SERVICES COLLECTIVE BARGAINING ACT, 2001

LOI DE 2001 SUR LA NÉGOCIATION COLLECTIVE DANS LES SERVICES D'AMBULANCE

Resuming the debate adjourned on June 6, 2001, on the motion for second reading of Bill 58, An Act to ensure the provision of essential ambulance services in the event of a strike or lock-out of ambulance workers /
Projet de loi 58, Loi visant à assurer la fourniture des

services d'ambulance essentiels dans l'éventualité d'une grève ou d'un lock-out de préposés aux services d'ambulance.

The Speaker (Hon Gary Carr): Further debate? The member for Niagara Centre.

Mr Peter Kormos (Niagara Centre): Speaker, you'll recall that I had to start doing my comments on second reading of Bill 58 yesterday afternoon and I only got 15 minutes into the hour allotted to me. As I indicated yesterday, I'm going to use the balance of that hour. An incredibly important piece of legislation, a bill that's going to impact, as so many bills from this government do, on some very important workers, on some very professional—on paramedics here in the province of Ontario: paramedics, people—women and men—well-trained, committed, professional workers out there in communities across this province who save people's lives. Now this government has got these paramedics in their sights. The government has got its cross-hairs set on women and men who serve our communities, who are on the front line of health care.

One government member, I think a cabinet minister, expressed such shock and disappointment at the outrage and anger that flowed out of the CUPE provincial convention in Ottawa last week. I was up there with CUPE members in Ottawa at their annual provincial convention. The leadership are people like Judy Darcy, people like Sid Ryan, people like Brian O'Keefe—strong leadership, committed leadership. Judy Darcy, Sid Ryan, Brian O'Keefe, you couldn't want to meet any other people who are more committed to not only the welfare of workers in this province but to the quality of public services delivered by, among others, the workers they represent.

The level of outrage and anger, I tell you, has never been higher. For government members—for one cabinet minister to respond with I suspect what was feigned shock showed an incredible lack of awareness of the extent to which this government has gone to punish those very same committed professional public sector workers, people like paramedics who are very much under attack, directly under attack, very specifically under attack, under a very concentrated acute attack in Bill 58.

Among other matters that were discussed by CUPE delegates to that convention in Ottawa was Bill 58. CUPE members at that convention passed a resolution. The resolution reads,

"That whereas the government of Ontario has passed first reading of Bill 58," the bill we're talking about, "and

"Whereas, if enacted"—listen to this, please, Speaker—"this legislation would restrict workers' right to strike and would restrict access to an independent, unbiased arbitration process; and

"Whereas the legislation, if enacted, will be used as a model for restricting free collective bargaining; and

"Whereas the provision of emergency medical services during a strike or lockout should be determined by the employer and the bargaining agent,

"Therefore, be it resolved that the Ontario division of the Canadian Union of Public Employees call upon the government of Ontario to withdraw this draconian bill and be it further resolved that the Ontario division of the Canadian Union of Public Employees call upon AMO," yes, we know who they are, "the OHA and all Ontario municipalities that provide ambulance services," because the bill is very much directed at ambulance workers, paramedics who work directly for municipalities, "to advise the Ontario government that this legislation should be withdrawn as the parties have historically demonstrated that they're able to reach essential service agreements through free collective bargaining."

1530

You see, the government's rationale, the government's pathetic explanation for presenting this bill to the Legislature simply doesn't hold water, because the fact is that CUPE members, as well as OPSEU members as well as SEIU members, in the ambulance, paramedic services across this province have historically demonstrated an ability to reach essential service agreements through free collective bargaining.

Not a single member of this government, least of all the Minister of Labour, can name a single paramedic or ambulance worker, ever, throughout the history of ambulance services in this province, who during the course of labour negotiations, or as the result of strategies that have been or could be employed during the pursuit of collective bargaining—this government can't name one ambulance worker or paramedic who has ever denied the right of a member of any of our communities to ambulance services or endangered the life of a member of this provincial community.

I'll tell you, it wasn't ambulance workers who killed that patient in the back of an ambulance as it was shuttled from emergency room to emergency room during the course of this past week, and it wasn't ambulance workers, it wasn't paramedics, who killed seven in Walkerton.

I read an interesting observation the other day in a column; I believe it was by Jim Coyle, the columnist. I had occasion to refer to that column when I was at the book launch for Ruth Cohen, the author and the editor of the book *Alien Invasion*, what Mike Harris has done to the province of Ontario. I told you about that last night. Jim Coyle reviews Ruth Cohen's book, *Alien Invasion*, and I commend it to people. It's published by Insomniac Press here in Toronto: \$19.95 Canadian.

Jim Coyle, in his column reviewing that book, made note of the fact that here we've got a government that's obsessed with testing urine but has no interest in testing water. Think about it. This government wants to test urine but won't test water. People died. Seven people died in Walkerton because this government didn't want to test water. Now this government wants to target—it's part of an agenda, it's part of an ongoing process—those paramedics who work directly for municipalities. It wants to and does.

Bill 58 does. I tell you, it does. I've examined the bill. Others have examined the bill. I've examined the bill

thoroughly. I asked members last night as part of their preparation for today to please read Ontario's Arbitration Act. Please read it, because this bill says that the Arbitration Act doesn't apply to what this government calls arbitrations under Bill 58. If you say the Arbitration Act doesn't apply, you've got real problems in terms of fairness and the most fundamental principles of natural justice.

I suspect that like many, members of the government caucus failed to heed my advice and have not read the Arbitration Act. Understand that the Arbitration Act, 1999, was a major revision. It was a codification of arbitration law here in the province of Ontario. It harmonized the Arbitration Act of Ontario with the arbitration acts of a whole lot of other jurisdictions. It relied upon precedent that's been established through the course of several hundred years of arbitration, with its roots, among other places, in Great Britain.

And understand that the Arbitration Act, 1991, as it is, allows for a great deal of flexibility on the consent of the parties to an arbitration. In other words, parties to an arbitration can tailor their arbitration on consent. But there are certain core values that the Arbitration Act says cannot be negotiated away during the course of an arbitration by any parties regardless of the level of consent. You understand that, don't you? You understand that. These guys don't understand it.

Let's understand what the Arbitration Act—because you see, Bill 58 says the Arbitration Act doesn't apply to arbitrations under Bill 58. It's really scary stuff, I tell you. This is a fundamental attack on what is now centuries of precedent around arbitration.

Some of what are referred to—it's referred to in a number of ways—the sort of six core values of the Arbitration Act in the province of Ontario, are things that cannot be, by consent, negotiated away by the parties to an arbitration. In other words, parties to an arbitration can agree that the arbitration award doesn't have to be in writing. They can agree to that. They can tailor their arbitration. They can agree that submissions to the arbitrator will be written or that submissions to the arbitrator will be viva voce—spoken. But nobody under the Arbitration Act can, under any circumstances, set aside the fundamental requirement of equality and fairness which is guaranteed by the Arbitration Act. No party to an arbitration under the Arbitration Act can, by consent or by negotiation or by contract, by any way, shape or form whatever, set aside, for instance, section 48, which permits a party to an arbitration to seek a declaration of invalidity of that arbitration.

Bill 58 wipes that all off the board, because Bill 58 says that arbitration under Bill 58 is not subject to the terms of the Arbitration Act; it says the Arbitration Act does not apply.

This government wonders why Sid Ryan and Brian O'Keefe and CUPE membership are threatening workplace actions and major disruption across this province? This government wonders why the membership of that union are prepared to go to the wall with some pretty

radical and militant action? I'm not surprised at all. This government fuels that anger. It fuels that passion. This government fuels the antipathy that working people in this province—public sector and private sector workers—have for a government that is determined to smash trade unions, that is determined to destroy free collective bargaining, that is determined to eliminate the right of workers to strike and that is determined to undermine centuries of arbitration history. This government doesn't like workers. This government likes trade unions even less. It despises the lowest-paid workers and it hates the unemployed.

How dare I say that? I say it because over the course of six years, the history of this government, the policies that it's pursued, the legislation that it's introduced and rammed through this Legislature, have confirmed that each and every day that this Legislature has sat.

As much as the Conservatives and the Tories and Mike Harris don't like working people, hate trade unionists and despise the poorest workers, this government expresses similar disdain for even the function of this Parliament. Unprecedented—never before has this chamber seen as many time allocation motions as it has during the course of the last six years, and I've seen some pretty nasty periods during the history of this House, during the history of any number of governments, when time allocations came to be relied upon more than they ever had in the past. But this government beats the record by any stretch of the imagination. Count on it; take a look at the record. Bet the farm on it, because that record is irrefutable. This government has shut down debate more than any other government in the whole history of the province and the whole history of this Legislative Assembly has ever attempted to, has ever done, has ever been inclined to do, has ever even wanted to do.

Because you see, it's the paramedics who are under attack in Bill 58, and the thousands of other working people here in the province of Ontario who know that they're next, know what Bill 58 is: again, it's just another little piece of the puzzle. You're sitting at your cottage on a warm summer night and maybe it's raining outside, so you're indoors at the kitchen table. You're doing a puzzle, maybe with your kids or your neighbours—I don't know who you're with—but you take the first few pieces and you put them together and you have no idea what the picture's going to be, but finally you put together enough pieces and that picture starts to emerge, doesn't it? And then it becomes clearer and clearer. It all started way back with Bill 26. Do you remember Bill 26? It was an omnibus bill, wasn't it? That was about the mother of all omnibus bills, but bills have been getting more and more omnibus. That's one of the secrets to the puzzle, omnibus bills, because hidden away in each and every one of them—oh, you've got to look carefully. Man, you've got to be careful.

1540

I've got to tell you I was with the Minister of Labour. He was giving me a briefing on Bill 58 and, at the same time, Bill 57 was being prepped for introduction to the

chamber. Bill 57, under the name of one N. Sterling: oh, another red tape bill, and there it was. There was no briefing of it. I was at the briefing for Bill 58, this one, the one we're talking about here. But Bill 57 was introduced in the House on the same day. N. Sterling is the Minister of what? He's not the Minister of Labour. Forgive me. I really don't—

Interjection.

Mr Kormos: He's a minister. I've known him for a long time. He's been here longer than I, he's greyer than I am, richer than I am, shorter than I am.

So there we've got Bill 57, oh, another omnibus bill, red tape bill, more government efficiency, fair enough, but tucked away in there, deep in the bowels is a vicious, nasty little piece of work: amendments to and repeal of significant portions of the Ontario Health and Safety Act. Don't think for a minute that the labour movement isn't outraged about that.

The president of the Ontario Federation of Labour, Wayne Samuelson, was here in this building two weeks ago at the press conference, warning the people of this province, warning this government that there was going to be some very direct workplace action and that there weren't going to be warnings this time. There wasn't going to be advance notice.

We're not talking about marches of hundreds of thousands of people up University Avenue to Queen's Park by working people and their friends. We're talking about surreptitiously organized workplace actions that will disrupt those workplaces in a very specific and fundamental way.

Working people don't make that decision lightly, just like CUPE didn't make its decision lightly at its convention in Ottawa last weekend to engage in some of those same well-planned but unannounced workplace and community strike actions. And I tell you, New Democrats are going to be with those workers when they engage in those actions, because we understand that working people in this province have available to them little other choice. Little other choice.

Committee hearings? No. New Democrats are insisting on committee hearings for Bill 58—really don't know to what end, though. Committee hearings have become more and more meaningless here at Queen's Park. Committee hearings have become a sham. Committee hearings have become a pathetic charade of what they ought to be. Committee hearings: part of their history is designed to include the public, just folks out there, in the legislative process by giving them an opportunity to speak to legislation that might be before the Legislature from time to time, those bills being referred to that committee for consideration.

Again, in the years I've been here I have never seen the committee process so abused as I have during the course of the last six years. I have never seen the government dominate those committees using the brute strength of this majority in such a dangerously undemocratic way.

I see at committee after committee lineups of interested, concerned, well-educated, well-researched mem-

bers of this provincial community prepared to offer advice and counsel to members of this assembly who are considering a particular bill, just as they will be with respect to Bill 58—articulate, well-read, experienced people who've got some very specific things to say to you and you and you. Oh, and they've tried to do it. They've tried to do it through your offices, friends, Kormos says sarcastically to the government backbench.

Members of OPSEU and CUPE have tried to organize meetings with government backbenchers to explain to them the dangers inherent in Bill 58 and the fact that there's a far more effective way for this government to treat paramedics, effective because it's a way that can include some modicum of respect. You know what I mean: respect for people who work a heck of a lot harder than any member of this assembly—I'll say that in no uncertain terms—and for people not one of whom makes anything close to what members of this assembly make, and for people who are out there day after day in incredibly stressful, incredibly demanding situations where the level of responsibility—paramedics hold people's lives in their hands.

Paramedics are there before the doctor is there. Paramedics are there before your mom or your dad or your kid or your spouse gets to the emergency room. Inevitably, more often than not, they're doing what they've got to do with less than adequate tools. They're not doing it with the array of equipment and technology that's available in a hospital emergency room, or at least that used to be available in a hospital emergency room. There's none of the niceties and assistance and, "Oh, nurse this, nurse that. Help me here, help me there." There's no code blue. They're there and they've got to do what they've got to do, and they've got to do it fast and they've got to exercise judgment and they've got to exercise good judgment, and they do.

I don't think there's a family in this province, I don't think there's a family out there among 11 million Ontarians, that hasn't directly or indirectly had contact with paramedics, certainly not within my family's experience, whether it's grandma—baba in our ethnic background—who falls and breaks her hip, or your kid or your nephew or your niece who is off the swing and there he or she is with a broken arm.

I'm sure there are folks in this room who as parents understand the incredible panic, the fear, the riveting shock that travels through a parent's body and mind and heart as they pick up an injured child, their own kid. They don't care how many red lights that ambulance goes through. They just want that ambulance there sooner rather than later. Let me tell you, those folks have got respect for paramedics. Those folks understand the incredible challenging job that paramedics do on a daily basis. Folks like them understand why a little bit of respect is in order.

These paramedics, when they've finished their shift, when they've finished their job for the day, don't drive home in their Mercedes-Benz or their Cadillac Biarritz or their Rolls-Royce or their Lincoln Continental Towncar.

They drive home in their Chevy Cavaliers and their Toyota Corollas, and not new ones either, or their Chrysler van, the one they use to cart their kids to the hockey rink on Saturday morning at 5 am or to the baseball diamond on Sunday afternoon at 2 pm. They're the people we're talking about.

Paramedics have never been better trained. The professional demands require higher and higher qualifications. We've got paramedics right here. We've got a paramedic right here, a young woman who works in the city of Toronto, employed by the city of Toronto. She knows what Bill 58 is all about. She was here yesterday and she's here again today. Other paramedics have been sitting in this chamber through the visitors' galleries and in members' galleries listening to this debate. I've had a chance to talk to them. Their efforts to talk to government members about Bill 58 have been met with slammed doors and unreturned phone messages.

The Minister of Labour attempted to tell us that he consulted. Oh, I have no doubt that the Minister of Labour consulted. I'm sure he consulted. I'm sure he consulted with AMO, the Association of Municipalities of Ontario. The minister says, "Oh, I consulted." So I thought that I'd better do a few consultations of my own, that I'd better call up CUPE and I'd better call up OPSEU and I'd better call up the SEIU, the Service Employees International Union, just to see which among them were consulted—zip, nada, zero, not a one.

1550

I told Tim Little, a staff person at OPSEU, "Why don't you try giving the minister a phone call and see if you can set up a meeting." So he did give him a phone call and tried to set up a meeting, just a short meeting, not a long meeting; just a chance to sit down with the minister and give him the paramedics' perspective. The minister, you see, hadn't heard from paramedics, he just listened to the employers, and it's not hard to infer from the bill because the bill is all about the employer and it's nothing about paramedics. This bill is a direct attack on free collective bargaining. This bill is a direct attack on the right to strike. This bill is a direct attack on the long-held, hard-established, hard-fought-for principles that prevail in real arbitration, like arbitration under the Arbitration Act, 1991, here in Ontario. It's patently clear that there was no consultation with paramedics or with their representatives or with their unions, because had there been, this bill wouldn't have been as one-sided as it is.

The bill is about far more than just AMO. The bill is about the whole privatization agenda here in Ontario.

We're calling for committee hearings. Each time we call for committee hearings we do it more and more fecklessly, because our experience with committee hearings over and over again generates more and more despair, not only among us in the New Democratic Party caucus but among those people, like paramedics, who would want to talk to members of this Legislature about Bill 58, who want to flesh it out and want to explain to members of this Legislative Assembly, like the Conservative backbenchers sitting here in this chamber now,

a little bit about what it means to be a paramedic, a little bit about what it means to be able to freely, collectively bargain, and a little bit about what it means to have access to fair arbitration, all of which is being wiped off the universe for paramedics by Bill 58.

Committee hearings—what?—like the ones that are being held around Bill 45? Please. You know the budget bill, and the most contentious component of it that is going to transfer public funds to private, many of them for-profit, schools, and take those public funds out of our publicly funded education system, already gutted to the tune of billions of dollars by this government, so that the teachers I know are taking money out of pocket to buy construction paper and scissors and pencils and crayons for the kids they teach, especially at the elementary school level. They are. This government is going to take billions more out of it as it embarks on this incredible brave new world of using public funds to pay for private education and private profits.

Those committee hearings? The committee hearings finally are commencing at 10 am tomorrow, June 8, at the Holiday Inn in St Catharines. Notwithstanding that the New Democrats tried to insist that those committee hearings sit for at least 12 hours a day, well into the post-dinner hour, so that people who work for a living and teachers who are working in their classrooms during the day would have a chance to come out to those committee hearings—no, the government used its brute force and its majority today in that finance committee to shorten the committee hearing day so that it begins, rather than at 9 o'clock, at 10 o'clock in the morning, shuts down at noon—Lord knows these government backbenchers wouldn't want to do without a meal—and resumes after a healthy lunch break. As a matter of fact, I look around and I reflect on myself over the course of the last 13 years and many of my colleagues, and most of us could probably do without a lunch break. But it starts at 10, rather than at 9, shuts down at noon, has a healthy and substantial lunch break—oh, that's right: lunch provided for, courtesy of the taxpayers of Ontario. It is. You see, if you're a member of the Legislature, you don't have to buy your own meals; you submit your chits. Then it resumes and shuts down at 4:30 in the afternoon.

It's down at the Holiday Inn, tomorrow morning at 10 o'clock in St Catharines. I'm going to be there. Rosario Marchese's going to be there. I'm convinced that hundreds of people are going to be there from across the Hamilton and Niagara area who have very important things to say about Bill 45 and this government's confiscation of public funds from the publicly funded educational system already starved into a crippled state so that those funds could be transferred over to private schools. There are going to be hundreds of people there, and there are going to be people who are outraged. There are going to be people who are incredibly angry about what the government did today in terms of shortening the committee hearing day. There are going to be people who are incredibly irate. There are going to be people who are irate, angry, outraged and who are going to demand their

right to speak. There are going to be folks there, young and old. There are going to be trade unionists and non-trade unionists. There are going to be workers and people who aren't working. There are going to be young people, old people, who recognize that Bill 45 and the public funding of private schools is the most radical educational reform since the full funding of separate schools. That agenda was entitled to 80 days of public hearings across the province of Ontario—80 days, not eight.

New Democrats asked for 80 days for Bill 45; we ended up with 80 hours. People are going to be incredibly angry. I do not begin to predict or anticipate how those people are going to react to government representatives whose minimum wage is \$80,000—yes, that's the minimum wage around here. Yes, it's that minimum wage that these Tories wanted to bump up by 42%, what was it, six, seven months ago? A minimum wage of \$80,000 a year, and yet they're telling paramedics to forfeit their right to freely, collectively bargain agreements? That's nuts, unconscionable and not acceptable by any fair-minded, just-thinking person in this province, nor does any fair-minded, just-thinking person fail to recognize that the government sham of committee hearings commencing tomorrow in St Catharines is a direct assault on some long-held and hard-won rights of citizens here in Ontario.

The chamber becomes increasingly irrelevant. A couple of weeks ago I raised the case of that young man Jeffrey Fleeton. Jeffrey Fleeton, a 17-year-old boy who had just finished grade 12, had been struck dead by an illegally loaded truck as that young boy was working along the side of the highway for his father's surveying firm in his summer job. Immediately after completing his grade 12 term, he was struck dead by an illegally overloaded truck. The truck was charged with an illegal load. The crown attorney, the provincial prosecutor, whose boss just happens to be the Attorney General of the province of Ontario, was going to cut a deal with that trucking company that killed that 17-year-old boy, struck him dead along the side of the road while this 17-year-old boy in broad daylight was trying to do a modest summer job, trying to earn a few bucks to sustain himself through his coming years in post-secondary education. The Attorney General of this province's provincial prosecutor was going to pull the charge in exchange for a charitable contribution. He was going to cut a deal, a little bit of plea bargaining to make the law-and-order agenda of this government—I don't know. Did you guys think it was going to enhance your law-and-order agenda?

1600

I got a phone call today. That case was back in court again, adjourned now to June 25, and the provincial prosecutor still refuses to meet with this young boy's family, still refuses to include them in any decision-making about the deal they're going to cut with this trucking company whose illegal load killed their boy.

This government shows no regard for workers. That's demonstrated by Bill 58. The government shows no

regard for free collective bargaining. Do you folks understand how important free collective bargaining is, how that's a critical and fundamental part of any democratic society, that the only places I know of where free collective bargaining doesn't exist are totalitarian regimes that have no regard for democracy? Do you people understand that? Do you people understand that the right to strike is a fundamental tenet of democracy, that the only places I'm aware of where workers don't have the right to withdraw their labour are totalitarian regimes? Do you understand the right to an equal and fair standing before an arbitrator, the right to contest, for instance, the legitimacy of an arbitrator by virtue of, let's say, his or her fundamental bias?

I haven't got a whole lot of time. Let's understand what Bill 58 does in terms of defining—because, you see, what happens is that a boss, an employer, a municipality, can hold out for a mere seven days. That's how long it takes, a mere seven days, and then you go into default.

The government picks the arbitrator. The arbitrator isn't picked as a result of a consensus by both parties. They aren't picked from any list of approved arbitrators. As a matter of fact, the arbitrator who is picked doesn't even have to be an arbitrator. The arbitrator could be a golfing buddy of a Premier. It could be somebody who has no previous experience as an arbitrator. It's in the legislation. I know this sounds like fantasyland, but I'm not making this stuff up; I wish I were. It's in the bill.

The government gets to pick the arbitrator. The arbitrator doesn't have to have had any experience as an arbitrator. I suppose that's just as well because the Arbitration Act doesn't apply. So why do you need an experienced arbitrator who might know about equality and fairness and equity and natural justice? Why concern yourself with that? Because none of those apply to what this government calls an arbitration under Bill 58. Literally, you can pick someone who has no previous experience as an arbitrator.

"The minister shall select the method of arbitration." Because the Arbitration Act doesn't apply, that means the minister—you know who that is now, don't you? Just between you and me, Speaker, you know the minister I'm talking about, the Minister of Labour. Come on, if you're a paramedic, do you want this Minister of Labour picking the arbitrator? Sorry, I think there are a few working folks out there who have lost confidence in the Minister of Labour. A few? I suspect every single working person in this province has lost confidence in this Minister of Labour. This Minister of Labour, from day one, since his appointment, and as a matter of fact every Minister of Labour of this Conservative government, has demonstrated that they have no interest whatsoever in the daily lives of working people other than to beat those working people down more and more, to attack their trade unions, to attack their salaries and to attack those public sector workers who have served our municipalities and our province honourably and with professionalism and commitment over the course now of decades and generations.

Take a look at the mandate. Oh, before you get to that, this one is slick.

Interjection.

Mr Kormos: Garfield, read the act. Come with me. OK, I'll do this slowly for Mr Dunlop, who is the member from—where the heck is he from? Where is this guy from? From Simcoe North. I'm going to do this slow for him. You've got the bill. The bill is under your desk in one of those binders, those dusty binders, the ones that haven't been opened for months. Go under your desk and pull the binder out. We're looking at Bill 58—that's five-eight. Mr Dunlop, from—where the heck are you from? From Simcoe North.

The Acting Speaker (Mr David Christopherson): I would remind the member to please speak through the Speaker, not directly to other members.

Mr Kormos: Of course, Speaker. I'm calling upon Mr Dunlop from Simcoe North, through you, sir, to reach under his desk, pull out the binder, and in the book of bills he'll find a Bill 58, which happens to have been the bill that was called today by the whip for the government, the bill we're debating.

I want the member to open that bill. The bill consists, Speaker, through you to the member, of sections. We're talking about section 20. This is a little bit difficult for some people. That's on page 10 of the bill. Go to page 10, and you've got to turn the page one more time, which makes it page 11, and we're talking section 20(4). OK? Turn the page one more, because we're going to the top of that page, that happens to be page 12, and we're talking section 20(13). This one's a kicker: "No application shall be made, taken or heard for judicial review of or to question the appointment of an arbitrator or replacement arbitrator ... or to review, prohibit or restrain any of the arbitration proceedings."

Do you understand the ramifications of this? Do you understand what this means? You could have somebody called Peter Minogue appointed as arbitrator. You could have Peter Minogue in the worst condition he's ever been in his life appointed an arbitrator. You could have Peter Minogue unconscious appointed as arbitrator.

Ms Frances Lankin (Beaches-East York): That might be better.

Mr Kormos: The member for Beaches suggests that maybe you'd be better off. She did, and that was an astute observation.

You could have what's his name, Guy—

Mr Rosario Marchese (Trinity-Spadina): Giorno.

Mr Kormos: You could have Guy Giorno appointed as arbitrator and you've got no recourse.

That's why it's necessary for them to say the Arbitration Act doesn't apply, because Bill 58 attacks, in a very direct way, natural justice. It attacks the fundamentals of history, of centuries of arbitration. It attacks paramedics, it attacks their trade unions, it attacks their right to freely, collectively bargain. Members of this Legislative Assembly, Conservative backbenchers, should not only be answering the phone calls of paramedics who have been trying to reach them; they should be opening the doors and sitting down with them and talking to them, they should be reading the bill and the parts that—look, I

understand that parts of it deal with stuff that's not in the mainstream of any people's lives, things like arbitration, things like collective bargaining. But that's why paramedics can help, because paramedics, as working people and as trade unionists, understand what collective bargaining means and can explain those provisions of the bill to members of the government backbenches.

Paramedics know what arbitration is because, as trade unionists, they've got experience in what arbitration is and they've read the Arbitration Act of 1991. That's why government backbenchers should answer these phone calls, and that's why government backbenchers should encourage their political bosses to have public hearings—real ones, not like the one around the public funding of private schools that's going to begin tomorrow in St Catharines on Friday, June 8, at 10 am at the Holiday Inn, where hundreds of people are going to arrive expressing outrage at not being able to be heard by the committee as it sits from 10 to 12 and then from 1 to 4:30, as compared to the 12-hour day of sittings that Rosario Marchese from the New Democrats had insisted on.

1610

Be careful. I don't know which government members are going down to St Catharines for that committee. A St Catharines Standard columnist, I think Doug Herod, referred to you as the "cardboard cut-outs." He did. It was in today's column in the St Catharines Standard. It was Doug Herod; sure it was. He said, "Which cardboard cut-outs from the Tory backbenches are going to be sent down here to conduct these committee hearings?" Because it's obvious, Doug Herod from the St Catharines Standard says, that this government has no real interest in listening to the people of Ontario.

Members of the Tory backbench, withdraw the bill. Tell your political bosses to pull the bill. If you're not going to pull the bill, have public hearings, and before you have public hearings, sit down with paramedics. Paramedics from your own community want to talk to you about this legislation—from your own community. You represent them. You have a responsibility to them. The only politician who wouldn't talk to these paramedics is probably Tom Wappel. So I'm asking Tory backbenchers who don't happen to be Tom Wappel, talk to the paramedics, vote against the bill. Let's have the committee hearings. Let's do things right.

The Acting Speaker: It is now time for questions and comments.

Mr Garfield Dunlop (Simcoe North): It's always a pleasure to try to follow the member from Niagara Centre, who made some very interesting comments this afternoon. Obviously, I don't agree with them as a member of this government. Nonetheless, I do respect his comments.

I can say to you, Mr Speaker, and to the members of this House, the services provided by our ambulance workers, our paramedics, are essential to the people of the province. I don't think there's a family in this province that hasn't had the need at some time or seen

the hard work done by paramedics and workers such as the people who are here today. I welcome you here today to listen and take part in this debate. Myself, I've come across accidents on highways and I didn't know what to do. I've helped a person who was almost dead at an accident and tried to keep them comfortable until someone called 911 and the ambulance workers were there.

If the perception is that there's a lack of respect, that's absolutely not true, particularly from someone like me. I have the greatest respect for the work you've done, particularly the social part of it, how you at times have to comfort families. That's sort of the hospice side of it, when you look at someone who's injured seriously and could possibly die and you have to comfort the family. You fall into the same category as the police and often the fire department that way, because they have the same type of respect.

I just want to say that there is a great deal of respect for these services. I'm going to talk a lot more a little later on, but I wanted to fall in for this hit.

Mr Joseph Cordiano (York South-Weston): I want to comment on my colleague's comments earlier in the debate. He makes a number of very good points. The most salient point of all of this is the fact that this government will continue the patchwork that exists now in labour relations rules that cover ambulance and dispatch workers. It sets different standards for people who essentially do the same work. I think that's a recipe for disaster. You cannot have different people, doing the same work, have different bargaining rules, depending on which parts of the act apply to them and which sections of this particular bill apply to certain paramedics. And then of course the Labour Relations Act applies to other workers who are under OPSEU. What's going to happen to the public out there, with different working conditions and different pay scales?

This is a recipe for more chaos in the health care system. We don't need any more chaos. We have enough of it already with emergency rooms across this city and across this province. We are in a crisis, a continuing crisis, as we've pointed out repeatedly. If you don't think that's true, all you need to do is visit some of the hospitals in this city and see what's happening in the emergency rooms. Go to hospitals in my riding. Go to Humber River Regional Hospital, where there is a crisis a day at the emergency room, and it continues as a result of this government's policies. This bill will only make that worse.

Ms Lankin: The member for Niagara Centre certainly knows this sector well and he understands the process of collective bargaining in the public sector where the right to strike has either been withheld or has been limited, as it is in this bill, and the importance of the replacement of free collective bargaining, therefore, with a fair arbitration process, a fair interest arbitration process.

This is an area that of course I have some very strong feelings about and have some extensive history in. Before my life in elected politics, I negotiated on behalf of

ambulance paramedics in this province under the Crown Employees Collective Bargaining Act, under the Hospital Labour Disputes Arbitration Act and under the Ontario Labour Relations Act. What I have to say to the minister is that that patchwork is very problematic. It has existed for some time; you continue it here.

The paramedics themselves I think make a very good case, and the member for Niagara Centre has underscored this, of the importance in terms of emergency personnel, the parallel to be made between police and fire and paramedics. I think at some time this province is going to have to come to terms with that.

I suppose I understand what's behind this bill, and this is what disturbs me the most. At a time when you have placed a lot of pressure on lower levels of government, municipal governments and the funding pressures with the downloading of ambulance services and the cost of providing that, I see through this bill that you're trying to give those municipalities some sense of security that an arbitrator won't come in and provide an unpredictable increase that would be outside of the budgetary expectations of the municipality. But I say to my friend the Minister of Labour, you cannot have a fair arbitration process that replicates free collective bargaining and control that at the same time. What you are doing is insisting that those public sector workers, those men and women, those paramedics, our emergency personnel, subsidize the cost of the delivery of the public service for which they are engaged. I think that's just blatantly unfair.

Hon Chris Stockwell (Minister of Labour): Let me say, the underpinnings of the comments you've made are incorrect. What we're trying to accomplish with this bill, and what I think we have accomplished, is to protect the collective bargaining process. I think most unions are loath to go to arbitration. They don't want to go to arbitration.

To protect that public ability to go on strike, we just used the template that Toronto used for 30 years. Metropolitan Toronto used this template for 30 years with their paramedics. They just made an essential services agreement with their paramedics and the essential services agreement basically said, "You're still in the union, you pay union dues, you get all the protection of being in the union, but you're an essential service." So if a strike ensues for the outside workers in Toronto, those paramedics don't go on strike. They continue to go to work. But by going on strike and benefiting from a huge increase of a collective bargaining process, that immediately is given to the paramedics. So you're maintaining that vital thread of the ability to withdraw services and go on strike and giving the benefit to the paramedics, who have signed an essential services agreement. This process worked for 30 years, maybe more, in Metropolitan Toronto. It was an acceptable process.

I'm loath to take away the right to strike; yes, I am. I'm also loath to give it to an arbitrator, unless I have to, with respect to one person making the decision. It's a collective. That's why you have collective bargaining.

That's why you have strikes, that's why you have lockouts. Those are the beautiful things that we've developed in labour law over the last number of years in the province. What you're advocating is, "No, they don't have the right to strike and they don't have the benefit of a strike. They can only go to binding arbitration," which is sort of a false economy. It's one individual deciding what the terms and conditions are, rather than the collective negotiating.

I'm frankly shocked that you are opposed to this.

Interjections.

The Acting Speaker: Order. The member for Niagara Centre now has two minutes to respond.

Mr Kormos: If only government members understood what arbitration is. I've got a concern about the Minister of Labour's clear, transparent indication of his disdain for arbitration, as if it wasn't clear enough from the bill. When are we going to see a bill repealing the Arbitration Act, or at least those sections of the Arbitration Act that require natural justice and fairness, as those sacrosanct six points are, the ones that can't be bargained away, *Scott v. Avery* etc?

1620

The minister doesn't have to tell us about his disgust and disdain for arbitration, because it's apparent in Bill 58. He rejigs it. He's both denying the right to strike and denying arbitration to paramedics. It's not a secret any more. It's pretty transparent.

I'm glad the member for—where the heck is he from?—Simcoe North was here this afternoon because, member from Simcoe North, I'm quite proud of you. After spending 45 minutes with me this afternoon, he said, "Yes, paramedics are like police and firefighters." Bingo. Exactly the point. Go talk to your Minister of Labour in that regard. I'll bet you dollars to doughnuts right now, member for Simcoe North: you explain that to your Minister of Labour and he'll have a whole bunch of paramedics onside, just like police and firefighters. You should be the Minister of Labour. You've got it hands down over this guy. The member for Simcoe North understands, after listening to me for a scant 45 minutes of paying a little bit of attention to the bill, what the paramedics are really all about.

The Acting Speaker: Further debate?

Mr Dunlop: I will be sharing some time with the member for Durham, Mr O'Toole.

Thank you very much, Mr Speaker, for allowing me to speak to Bill 58, the Ambulance Services Collective Bargaining Act, and I would like to thank all the members who have made any comments here today.

It's always interesting, as I said earlier, to listen to the member for Niagara Centre. Although we don't always agree—and I should point out to the young people in the gallery what an interesting gentleman the member for Niagara Centre actually is—it is entertaining to hear him speak so passionately on the concerns he has, and I respect him for that.

The number one priority of our government is to protect public safety. It is a tremendous concern to this

government and it's a concern to all the residents of Ontario and all the members of this House.

On January 1, 2001, ambulance services transferred from the province to upper-tier municipalities as part of our local services realignment program. Before that, in 1996-97, I was a municipal council member and that was when I tied my interest into emergency services. We had quite a debate at the council level of Simcoe county on whether or not the government should transfer this particular service. The council was split on it. A lot of the council members felt it was a health care issue only; other council members across the province felt it was an emergency services issue. That's why I mentioned it in the same sentence with police and firemen.

Under the local services realignment, municipalities across Ontario shared policing. They hadn't previously. A lot of municipalities, like all the police associations in the cities and the regional governments, had their own police forces, but in many parts of Ontario, the province paid directly through the OPP. Of course, most municipalities across our province had their own fire associations or fire departments.

I must say that in my years on municipal government, I noticed a huge improvement in the quality of services the fire departments provided to their constituents, as well as the types of equipment they now purchase. I'm sure most of it is health and safety related, because no municipality wants to spend a lot of money, but today we have a lot of very good equipment that the fire departments work with right across our province. I'm pleased to have been involved in municipal government over the last 20 years and to have seen this change. So I really wanted to point out that I felt in a lot of ways that ambulance was in fact tied in very directly to policing and fire departments.

Of course in rural Ontario—and this isn't something Mike Harris started or Bob Rae or anyone else—the fire departments were always the first to respond, especially in small villages, rather than the paramedics. So in a lot of cases, the paramedics taught our firemen and firewomen across our province a lot. They would give them lessons and just teach the little things that would help with resuscitation and that type of thing. I don't think that's anything new to anyone here. I know they respected it, and today across our province a high percentage of our calls are actually health-related on the fire departments. I think that's why I was putting the two together, or the three together, in my response to Mr Kormos's speech.

Historically, ambulance services were operated by three types of employers: the hospitals, crown organizations and municipal fire departments, and of course the huge area there were the 1,000 paramedics who were employed by the city of Toronto. Services that were run by hospitals fell under the Hospital Labour Disputes Arbitration Act, and no right to strike on that act.

The services that were also run by crown agencies, the private operators working for the provincial government, fell under the Crown Employees Collective Bargaining

Act, and the conditional right to strike and essential services agreements need to be in place prior to any legal strike or lockout. That was something that we found in Simcoe county. We had seven operators prior to the local services realignment across the county. Some were private, some were operated by the hospitals, and there was the local Ministry of Health as well.

I just wanted to point out that in the end, in Simcoe county they chose to have a private company. I think it was amalgamated with a company in Midland and one in Waterloo and in London. I believe the three of them went together and formed a couple of organizations to run the whole county.

As a result of the transfer in January 2001, most ambulance workers now fall under the Labour Relations Act, 1995, and therefore have an unfettered right to strike.

There are currently approximately 4,400 ambulance workers across the province, and they include emergency medical attendants, paramedics and dispatchers. They're employed now by 88 services and controlled by 23 municipalities. Of course, I refer to the county of Simcoe under that one.

Of the 88 ambulance service providers in Ontario, 26 currently have the right to strike; 32 services are operated by the hospitals, with no right to strike; and 30 services are operated by crown agencies, with a conditional right to strike.

Anticipating this situation, our government, the Ontario government, began consultations 18 months ago. The government of Ontario has consulted with ambulance workplace parties. OPSEU is included in that, the Service Employees International Union, the crown ambulance operators, the Association of Municipalities of Ontario and the Ontario Hospital Association. Consultations showed that generally OPSEU preferred mandatory arbitration; AMO preferred the "pure essential services" model; the Ontario Hospital Association preferred mandatory arbitration; and crown operators preferred mandatory arbitration.

The result at the consultation was the act you see in front of you today, the Ambulance Services Collective Bargaining Act, 2001.

This act requires that the provision of essential ambulance services during a strike or lockout be negotiated by the employer and employees prior to a strike or lockout. The terms of this act ensure that the withdrawal of ambulance service will not endanger public safety. That's the whole intent here. If passed by this House—and we are in second reading and there's a lot of debate still to take place—the bill would ensure continuous ambulance service during a strike or lockout.

This bill would affect ambulance employers and their organizations, ambulance service employees and their unions, and employees in bargaining units that include ambulance workers. In the event of a labour dispute, ambulance service operators would have to continue to meet the standards and requirements of the act and its regulations.

1630

I have a little bit more on the proposed legislation before I turn it over to Mr O'Toole. The proposed legislation would safeguard public health and safety in the event of an ambulance service strike or lockout as well as balance employer-employee interests in collective bargaining.

The proposed legislation would also create a framework for resolving labour relations disputes which requires that prior to any strike or lockout an essential ambulance services agreement be negotiated between the employer and the employees.

The legislation would also define the essential ambulance services that must be maintained to ensure public health and safety objectives are met.

The act would also require an essential services agreement be in place prior to a lawful strike or lockout.

The legislation would also give the parties access to a conciliation officer and the Ontario Labour Relations Board for assistance in creating these agreements.

Finally, the legislation would provide a number of remedies if the essential ambulance services agreement has prevented parties from having a meaningful right to strike or lockout.

The Ontario Labour Relations Board could then direct the parties to continue negotiating, refer the parties to mediation, amend the essential services agreement and order all outstanding matters to binding arbitration. The right to strike would be maintained, but critical services would continue to be delivered under this legislation. The legislation would apply to ambulance service employers and their organizations, ambulance service employees and their unions, and the employees in bargaining units that include ambulance workers who work for 23 direct municipal operators and 33 services contracted by municipalities, including the 30 currently considered crown agencies.

With that, I would like to now take the opportunity to allow my colleague from Durham a chance to say a few words on this. He only has about nine minutes and 20 seconds left, so with that I appreciate the fact that I've been allowed to say a few words on the act proposed by Mr Stockwell.

Mr John O'Toole (Durham): It's most unfortunate the member for Hamilton West isn't participating in this debate because he does have a strong voice in support of labour and we've kind of tied him up now that he's in the Chair.

Anyway, it's my pleasure and indeed my privilege to respond to the member for Simcoe North and to the importance of this debate. I should start out by saying—you would probably know, Mr Speaker, and if you don't, you will know now because I'm going to tell you—that Durham region was the first upper-tier municipality to actually sign the agreement with the transfer of ambulance services down to the upper-tier municipalities. I think that was showing confidence that it was the right thing to do.

As people know, if you look to the history of this event, there were a number of providers of ambulance services across the province, and therein lies the real problem. The service, over history, has been provided by a combination of providing agencies, of which hospitals were one, and of course, being employees of hospitals they were under the Hospital Labour Disputes Arbitration Act, with no right to strike. So that point has been established. There was one group going into this that had no right to strike under the emergency services provisions, like doctors, nurses and others in the health services don't have the right to strike. They have developed over the years a number of dispute resolution mechanisms, and that's part of the debate here of how you reach a fair collective agreement. A negotiated settlement is the preferred option in most cases.

Then, of course, there were those that were run under crown agencies which fell under the Crown Employees Collective Bargaining Act and there were conditions with respect to the right to strike.

It's most important here to establish that this is an essential service. It's very important to put on the record that Bill 58, by the Honourable Chris Stockwell, who is in attendance and is very interested in this issue—certainly listening to me just now as I speak—was introduced on May 17, and the purpose of the bill is to ensure that the provision of essential ambulance services in the event of a strike or lockout is maintained.

It would require employers—in this case the upper tier and, as I've mentioned, from my perspective the riding of Durham, it would be Durham region—"who provide ambulance services"—by the way, for the viewer today, they should understand that this was all part of the local services realignment equation. The commonly used media term is "downloading."

There was downloading of about \$250 million in services, but there was uploading of about \$300 million. That should be remembered. In the ambulance equation, there were many discussions held. I know the member for Simcoe North was part of those discussions with respect to trying to find the precarious balance in this reallocation of responsibilities.

At the end of the day, providing standards of service, response times and those things were part of that debate, but another important part was, who pays? It's got to be clear to the people listening today that the province pays, I believe, 50 cents on every dollar. They also set standards, which is as it should be. We need to have appropriate response times and methods of getting people the right attention at the right time in the right place. There's a lot of debate about that in the press today. It's an important thing to have standards, but ultimately the province is part of the paying solution as well.

"To negotiate an essential ambulance services agreement"—an absolutely essential service. I don't think anyone here would not agree on the importance. I might say it's been mentioned in the debate how we collectively—I'm not saying the ambulance attendants themselves—have progressively increased their training and

their commitment to professionalization, working in partnership with other health care providers, to improve the level and types of service. Whether it's cardiac or whether it's some sort of intervention within the ambulance itself, it is a very important part of wrapping up this whole first-tier response in the health care system.

It would be wrong for me to assume that someone attending in my home in the event I had during the evening some sort of heart attack or something like that—heaven forbid. You'd want the right people with the right training, not because of some other ulterior motives but because it's the right thing to do. Yet you're trying to find the balance of how they exercise their employer-employee rights through some kind of method so there is a locally negotiated solution to both local and broader collective bargaining issues at the provincial level. I think those ongoing resolutions will occur.

I think the encouragement here is, "The parties may apply to the Ontario Labour Relations Board if they are unable to negotiate an essential ambulance services agreement. They can also apply to the board to amend or enforce such an agreement." It gives parties a mechanism to go to a board, in this case the arbitration board, to resolve disputes.

As a result of the transfer, as the member for Simcoe North mentioned, most ambulance workers now fall under the Labour Relations Act, as the new upper-tier municipality takes responsibility. What we're trying to find here is the right framework for dispute resolution and for appropriate harmony in collective bargaining. Currently, approximately 4,400 ambulance workers across the province, including medical attendants, paramedics and dispatchers, are employed by 88 services or controlled by 23 municipalities. Some of the lower-tier municipalities obviously have empowered the upper tier. In many cases, they've put together, coordinated co-operatives between municipalities to provide a better coordinated ambulance service, and that includes the dispatch service.

I won't go into the long history of emergency services and how it's important to look at police, fire and ambulance as one. I think at this point in time it's considered to be under the health side of an essential service, and as such, having a collective bargaining process. Of 88 ambulance service providers in Ontario, 26 have the right to strike, 32 services operated by hospitals have no right to strike and 36 services operated by crown agents have a conditional right to strike. We're looking for a solution. I believe Minister Stockwell's bill has provided a framework that will provide the assurance of delivery of an essential service—I think that's a given—and secondly, a mechanism for bringing forward disputes and some format for resolution.

If you listen to municipalities and some of these arbitration award things, and maybe I shouldn't even go down this road, the ability to pay still has something to do with this equation. To think that the levels and kinds of service, whether it's in Toronto or in, let's say, Tweed or Hastings, and to even go further, in northern Ontario,

the types of services, the types of training are different across the province. Arguably, in my area there may not be the ready availability of that higher-order hospital as in the case of Toronto, where you could ultimately argue that there are more services available than for someone living in Timmins, perhaps, where they could be a helicopter ride away from the appropriate level of service. So there are varying degrees across the province, where to have a one-size-fits-all dispute contract would probably not be in everyone's interest.

1640

I think the arguments have been made. This is certainly an attempt to make sure that an essential service is uninterrupted and that there is a process for those employer-employee relationships to get resolved. This old-fashioned idea that we must always get the placards out and we must deprive the service, specifically when lives are at stake, we can't be using the frail elderly as hostages. Now, that may be going too far on this, but it's an essential service. We have provided a framework, and it's the right thing to do.

I expect the other side will be supporting this. It's my understanding that they have the right to disagree, certainly, but at the end of the day, if reason prevails, it's the right thing to do for the people of Ontario who need the absolutely uninterrupted service provision of well-trained, well-qualified and in fact well-paid and well-respected health care workers in the province of Ontario.

The Acting Speaker: It is now time for questions and comments.

Mr Mike Colle (Eglinton-Lawrence): I want to comment on the ambulance services bill and the comments from the government members. The member for Durham mentioned the fact that people from Timmins have a long way to go for emergency services. I'll tell you, in Toronto we're in a state of paralysis because of the reckless cuts that your government has made to ambulance services. Our emergency services personnel in Toronto are really second to none, but because of the failed restructuring, the closing of six emergency departments in the city of Toronto, people are now waiting two or three hours to get service. People are in essence being released from hospital without being seen. There was a tragic case of a gentleman which is now before the coroner.

Ambulance services are critically important. They are services that this government has really played havoc with. I hope they understand that whether it's in Toronto or it's in remote communities, the challenges met by our ambulance services personnel, or EMS personnel, are more difficult than ever. Perhaps the government—

Failure of sound system.

Mr Colle:—shame on this government.

The Acting Speaker: The Chair recognizes the member for Niagara Centre.

Mr Kormos: The scripts that have been prepared for the government members seem to be full of these nice little warm, fuzzy platitudes about paramedics. Look, paramedics don't want you to say nice things about them;

they just want you to treat them with respect and they want you to join other fair-minded people in protecting their right to freely collectively bargain. And when they're required to have recourse to arbitration, they want to be assured that the arbitration process is a fair one, that it's one that has as its basis the principles of natural justice, that the arbitrator is unbiased and that the arbitrator has a fair mandate that binds him or her when arriving at a judgment or arriving at the appropriate award with respect to the dispute between paramedics and their employers from time to time as they go about negotiating new contracts.

Sorry, friends, paramedics are not particularly well-paid workers here in the province of Ontario. They're not. And it's an insult to paramedics to suggest that somehow they should just be happy little campers and abandon their collective bargaining rights, abandon historical arbitration principles because, after all, Big Brother here takes such good care of them. I'm sorry, the paramedics whom I've talked to, when this government starts putting its arm around paramedics, recoil in horror and say, "Thanks, but no thanks. I do not seek succour from the Tories by any stretch of the imagination." The paramedics of this province know what's going on.

The other interesting thing is this talk about consultation. How come the member for Simcoe North says that paramedics were consulted? OPSEU says no, CUPE says no, SEIU says no. Somebody's not telling the truth.

Hon Mr Stockwell: My friend from Welland, he's a funny guy. He says paramedics don't want people to just say nice things about them, and paramedics aren't overpaid, and they don't make a lot of money. I'm with him, except he was part of a government that ripped up every collective agreement the paramedics ever signed, rolled back their wages arbitrarily and ratcheted the contracts all to heck. I think they would have been happy if you had just said some nice things about them rather than doing what you did.

It is funny listening to him, because when he was in government—and to the guy he is today, he's not even recognizable. I think somebody's taken over his body, because when he was over here he didn't have any difficulty with that: ripped up collective agreements, rolled back these wages for these hard-working individuals. That's true. Do you remember that? You guys are hard workers, went out there; you're paramedics and you answered calls. And what did my friend from Welland do? He ripped up your collective agreements and rolled back your wages arbitrarily. So when he had his hands on the levers of power, when he could have declared paramedics essential services and sent them off to binding arbitration, not only did he not do that, he put his hand, not around your shoulders, he put his hand right into your pocket and grabbed your money and took it out.

For him to stand here today and tell us about the noble causes he's promoting and the great things that he thinks are going on in Ontario and how the oppressed worker is being put upon, no government in the history of this province ever unilaterally, by one act of this House,

ripped up more collective agreements and rolled back more wages at any time in the history of the province of Ontario. So pardon me if I'm not going to listen to your diatribe today.

Mr Dominic Agostino (Hamilton East): I'll certainly speak to the details of the bill in a couple of minutes or more, but when I listen to my colleagues across the floor and I listen to a Tory government talk about protecting workers' rights or protecting collective bargaining or protecting to ensure there's a fair system, it's an absolute joke. If you look at the history of this government, and this is another example here, they have made a history and a career of attacking working men and women in this province, out of attacking labour unions, out of attacking people who belong to unions across this province. They've made a career of it.

Look at the number of bills they've passed, and this is just another attack on that. They disguise this under somehow this is to protect health and safety, this is somehow to ensure that there's no disruption. If they're serious about that, then they would have treated paramedics in the same way you treat firefighters and police officers: make sure there's a fair system in place. What you've done here is tied one hand behind their back. You have literally tied their hands behind their back, and now negotiate fairly while both your hands are in front of your face on the other side?

This is really nothing more than another disguised attack on labour, on working people, on the paramedics in this province. If this government were serious about it—again, the nice words and the feel good and the warm and fuzzy, yes, that's nice. But, do you know what? It does absolutely nothing to deal with the issue. You can say all the wonderful things you want about paramedics. Yes, we know how great they are. We know how essential they are. We all understand that. Nobody in this House would disagree how important their role and their work is to the health and safety of Ontarians. But you have to go a little further than just saying nice things; you've got to prove it. You haven't proved it through this. This is just absolutely nothing more than an attack on professionals who do a great job in this province, who go out of their way.

1650

As we get into the next round of this, I will talk a little bit in detail on some of the impact of this bill, some of the absolute powers that this minister has, the fact that they're bigger than the courts when it comes to appointing arbitrators—because the courts have told them they've done something illegal once, so now they can't go to court any more. There are hundreds of holes in this bill which I'll point out to you in a few minutes.

The Acting Speaker: It is now time for two-minute responses. The member from Simcoe North for the full two minutes.

Mr Dunlop: I'd like to thank the people who made comments on this: the members for Eglinton-Lawrence, Niagara Centre, the Minister of Labour from Etobicoke, and the member for Hamilton East.

I wanted to just say very briefly that we hear these comments and concerns in the House, especially from the member for Niagara Centre, but I want to repeat what I said earlier. Although our government wants to see the ambulance workers as an essential service, I just want to repeat the importance and the respect that I have personally and I think most people in this House and most people in this province have for the work that paramedics and ambulance workers do across our province.

As I said a little earlier, I think there's hardly a life that hasn't been impacted at one time or another or that has seen the results of the work of our paramedics. I am saying warm and fuzzy things; I'm not denying that. But I am telling you that you very seldom ever hear of a complaint in this field. I can think of people who have had heart attacks or major accidents on highways or industrial accidents or construction accidents. They're very, very happy to see an ambulance arrive on the site. Like I said earlier, I've been involved in a few of these incidents over my lifetime and I know that people usually make way in a construction site and they do their best to work with the paramedics.

I will be supporting the bill, but the key thing here is I wanted to show my support for the paramedics in general across the province.

The Acting Speaker: Further debate?

Mr Agostino: I will split my time with my colleague from York South-Weston.

As you look at this legislation, you hear the government members and they just say, "This is what was wanted; this is what paramedics have been asking for." I listened yesterday with interest to the Minister of Labour and looked at his comment today, asserting, as he did with the building trades over the double-breasting issue, "It could have been worse. They are lucky that they're just getting away with this, because I could have stripped their contracts and everything else when we downloaded the responsibility to municipalities." This is how this government approaches negotiations in labour. It's, "Do as I say. I'm going to hammer you, and if you don't co-operate with me, I'm not just going to hammer you twice; I'll hammer you three, four, five times." That's fair, balanced negotiations Tory-style in Ontario.

This bill, as important as it is, can't be looked at in isolation in the ongoing attack on labour and on working women and men in this province since this government took office. Go back to Bill 26, which fundamentally changed the role of arbitrators and what they could do in Ontario. Look at Bill 7, which basically ripped up 50 years of progressive labour legislation and sent us back to the Stone Age in many areas because their business friends who pay the tickets to the big fundraisers the Tories have wanted that done. That was done quite easily. One of the first acts of this government, Bill 49, changed the Employment Standards Act, changed the WCB and injured workers; Bill 136 impacted the public sector; Bill 131; and on and on. If you look at the changes, every single piece of legislation that this government has brought in has been to favour their rich

corporate friends, to the detriment of working women and men across Ontario.

You have to look at this piece of legislation. Let's make it clear: if you belong to a union, if you're a working man or woman in this province, don't expect any favours. Don't ever, ever believe that anything this government does when it comes to labour legislation is trying to protect you, because it's more to protect their corporate friends and to protect their rich friends across Ontario.

When you look at this, it says to paramedics, "You're kind of essential but you're kind of not essential. You kind of have the right to strike and you kind of don't have a right to strike." It leaves them hanging on both sides and really hanging out to dry.

What should have been done, and what the Liberals and Dalton McGuinty have stated in the past, was to make paramedics an essential service and to give them the same rights and the same process as we have for firefighters, police officers and nurses across Ontario, so that there is a fair process in place when it comes to disputes.

Here you're going to create chaos. If you're going to allow them to strike, what you say at the end is, "If there is a strike and it gets to that, then you have to have a number of paramedics to maintain full service." For example, if you have 30 paramedics in a community and 25 are necessary, five will be allowed to go on strike and 25 will be necessary. Is that an essential service? If it's essential, it should be fully essential. Every community across Ontario desperately needs more ambulances and more paramedics. We don't need a situation where you're going to pit workers against workers, where you're going to pit one paramedic against another paramedic because they're one of the five who are out and the other 25 are not. We should never get into that situation.

There should be a process here that is fair, and it should be fair from the point of view of what arbitrators can do. This bill gives the minister, as usual, unlimited power. If they can't agree to an arbitrator within seven days, then the minister will appoint one. It makes it clear in the bill that the arbitrator appointed doesn't have to have any experience, doesn't have to have any background, doesn't have to have any knowledge of what he or she is dealing with, and then you can't challenge that.

It can't be challenged in the courts. The government was challenged on a decision and the courts said they were wrong, so now they have put in a clause that says, "You can't challenge our decisions in the courts." Not only do they get to hand-pick the arbitrators—they can have absolutely no experience, no background in the decision they're making—but no one can dare challenge this minister and this government and their holier-than-thou decisions on how to approach this.

If you look at the criteria they have to use, what you're going to have is an imbalance across Ontario. They have already under Bill 26 limited tremendously the criteria that arbitrators would get to use in making decisions. Now they're going to limit that even further. To suggest

this is what paramedics were lobbying for I would suggest is wrong, is untrue and is not reflective of what paramedics across this province are looking for today.

If you look at the principle of the argument here, where the paramedics are essential workers in this province, no one can argue their role. No one can argue against the fact that if someone is a victim of a heart attack or an accident, they should demand, expect, require and will have immediate paramedic help in Ontario. To me, that's essential. That is as essential as if your house is on fire and you need firefighters there. That is as essential as if you've been victimized or a victim of a crime and you need a police officer there. Paramedics should be treated the same way.

Members of the government kind of alluded to it. They keep talking about paramedics being in there with firefighters and police officers. Then why don't you back up what you say and put your money where your mouth is? Walk the walk, more than just talk the talk, and make them truly an essential service and give the protection that is necessary, as limited as it is. As I said earlier, you already have stripped away many of those powers of arbitrators through Bill 26. What you're now doing is putting them further behind, further in the hole.

This is certainly not what paramedics are looking for. It's not what Ontarians are looking for. This could actually cause more disruptions. Paramedics don't want to go on strike. They realize how important their role is in this province. They're an important part of the health network of Ontario. They're essential, like any other service we provide. I would say to you they're as essential as firefighters and police officers and nurses and health care workers in this province. Those folks don't have the right to strike. Nurses don't have that right, police officers don't have that right, firefighters don't have that right and paramedics should be treated the same way. Don't do them any favours by trying to protect their right to strike here, because you're not. What they're looking for is a fair mechanism.

If this bill goes through, which I presume it will, I hope the government will send it to committee so there can be some meaningful amendments made, so there can be some changes made. What the government should do is rip up the bill and start all over and bring in a new piece of legislation that would truly require them as essential workers and give them the same protection and the same rights and the same arbitration process. Failing that, I think there are some changes that can be made and this government should look at that. This government should allow this bill to go to committee. You haven't talked to paramedics across the province. I challenge the members and the minister across the floor to outline which locals they've spoken to and when, which paramedics they've spoken to about this issue, because I don't believe it to be true when members opposite are suggesting that this was consulted. There was no consultation with paramedics. I've even been warned that municipalities think this may be what AMO wants, that when the government talks about 50% of the cost, that

ultimately develops to 50% of what they see is the cost, and anything above that, with any local settlements or anything else, you're on your own. That's how this government has operated in the other areas they've downloaded. I think AMO really has to understand what's on the line here as well with this funding formula that is part of the 50% formula that they talk about here.

1700

I very much believe that this government has to come to its senses with this issue. This is too important. This is too important a service, this is too important to Ontarians, to be playing silly-bugger politics of just trying to bash another union.

Interjection.

Mr Agostino: Bugger. I think "bugger" is OK, Mr Speaker, isn't it? It's questionable? I'll withdraw it if it's not.

The Acting Speaker: It's got to be borderline. I'd appreciate it if you would withdraw it.

Mr Agostino: If it's unparliamentary, I'll withdraw that word, Mr Speaker. Sorry. I wasn't trying to be unparliamentary at all there.

But this is too important to the health and safety and to the well-being of Ontarians to play silly games with it, to use it as an attempt to attack working women and men in this province, to use it as an attempt to continue their war on organized unions and on labour across Ontario.

Again, the Liberal Party believes very strongly that paramedics are essential, are part of the fabric of this province, are part of the health and safety net for this province, and this government has to come to that realization. You cannot simply treat them as second-class citizens. You can't make them almost essential and give them almost the right to strike and almost the right to bargain and almost the right to arbitration. Treat them fairly.

If you really believe everything you have said across the floor about how important the work of paramedics is across Ontario, how essential paramedics are, how you continue to compare them with the work of firefighters and police officers—and I agree with all that—then do the right thing today, do the honourable thing. Withdraw this piece of legislation. Rip up this bill and come back with a piece of legislation that truly treats them with the dignity and respect they deserve and need and, frankly, ensures that Ontarians continue every minute of the day, every day, every week, every month, to get the type of service that is necessary, to depend on that service and to have men and women out there who do that work. They truly are essential. They truly are needed. This government should show them some respect and dignity and treat them that way by ripping up this legislation and putting them on par with firefighters, police officers and nurses.

I'll turn it over to my colleague.

Mr Cordiano: To follow on my colleague's always passionate speeches made in this House, I just suggest that this government is truly consistent. That is one thing that we can say about the government. It is consistently

attempting to denigrate and to strip public sector workers of their rights and continually making difficult the public service in the sense that you take away incentives, you demoralize, and you make it extremely easy to then privatize all these services. That's part and parcel of what this government's agenda is.

I want to comment on an earlier remark by my colleague the member for Beaches-East York, when she alluded to the fact that municipalities are under extreme pressure. The minister may, with this bill, have attempted to alleviate the financial pressures that may be part of the reality for municipalities now that they've been down-loaded with some of these additional responsibilities. Upper-tier municipalities may now take on these responsibilities with respect to paramedics, ambulance services, all of these services that have been provided for in the past and paid for in some instances by the province, that are being paid for by some of these municipalities in the future, making it now easier for municipalities. Perhaps in the future their fear is that if this bill was to make paramedics truly an essential service, then municipalities would fear the wrath of arbitrators in this province, as in the past when arbitrators truly were fair, and would make possible settlements that were reflective of realities that working people were facing.

It is true that what this government is doing is attempting to use the wages of paramedics to subsidize their service, lost wages, in the future. So I believe that what they're engaging in here is consistent with what this government has done on so many fronts with respect to services that are provided for the public. This government seems to want to marginalize these services and to reduce them to the lowest-cost denominator right across the province.

As a result, for citizens ultimately, their view is, "We're going to end up with more efficient services," ie, efficiency means lower wages for these people who provide these services, and that can only mean one thing. With the privatization of these services, when you eliminate the not-for-profit sector or the public sector, ultimately wages are reduced, as they are in other jurisdictions south of the border, where many of these services have been privatized for many years. We see that wages in those states south of the border are indeed lower.

That's what this province, through this government's vision, has become: providing a low-cost, low-wage jurisdiction for companies operating these services right across North America, for this province to become far more attractive to those companies wishing to locate here. But it's not the kind of investment we're looking for. Ultimately we want a highly paid, highly educated workforce. The services that are being provided by public sector workers now are of great quality, and they ought to be paid on a fair basis.

The fact of the matter is, this bill does not make paramedics an essential service. It says they can go on strike, only some of them, and while the strike is going on, they can be replaced by other workers. So, in effect, there isn't

really a strike going on here. Ultimately it undermines the collective bargaining process.

Really you're getting the worst of all possible worlds in all of this, because you're not going to end up with what I think everyone would agree would be the fairest process for arbitration to take hold. Fair arbitration means that an arbitrator be an independent arbitrator, at least at arm's length from the government, and that's not going to happen under this bill. The minister can appoint the arbitrator, thereby limiting the awards. There's a great fear on the part of this government that over the years arbitrators have awarded settlements that to its mind are too high and that this has resulted in the public sector wages increasing steadily over time. I have heard comments over the years from my friends opposite that the public sector costs too much, that we have to reduce it, we have to marginalize it. Ultimately, when you do that, you turn to the private sector.

More and more this is part and parcel of this government's *modus operandi* to privatize a greater number of services and not to deal with the real issues at hand. To my mind, this is part and parcel of the crisis that we're facing in health care in this province. Ultimately, not to declare paramedics essential in every sense of the word is to set up, as I said earlier, a patchwork, or a continuation of the patchwork that did exist, but to aggravate it as a result of the emergency room crisis that we're facing now.

These people are under tremendous pressure to do their jobs, and they do them very well. But with these kinds of issues hanging over their heads, I suggest that it makes it that much more difficult. As I say, workers in the public sector have become so demoralized that under this government's auspices that can only continue with this bill and be aggravated under this bill.

1710

The patchwork of labour relations that covers ambulance and dispatch workers will continue. Some air ambulance paramedics and dispatchers are under the Crown Employees Collective Bargaining Act and will continue to be so. There will be those who are under this act, which will govern them. There will be different rates of pay. There will be different working conditions. These people are all providing the same service right across the province. It does not allow for even service throughout the province as a result. That's another reason to worry about what this bill results in.

The paramedics are basically asking for three things: guaranteed access to fair interest arbitration, which we've been asking for all along; fair powers of appointment for arbitrators, which I've alluded to earlier; and that we require arbitrators to use the same criteria as for fire, police and health care workers. That's not asking for a lot.

In addition to that, I don't believe there are public hearings for this bill. I've not heard that suggested. That speaks to the lack of interest this government has to open up more of the legislation in this assembly to public debate, for public input. Again and again we see that this

government moves away from real meaningful public hearings on any subject.

This is a bill with some controversy. It deserves some attention and some public hearings. We are debating it in this House in a limited fashion with a limited time period. I believe that when there is a bill that involves some degree of controversy or difference with respect to the people who are affected by the bill, there ought to be some public hearings. That isn't the case.

I say to the government, you aren't listening, you aren't open to suggestions, you aren't recognizing that there are some real difficulties with this bill, and we are concerned about it and are opposed to this bill.

The Acting Speaker: It's now time for questions and comments.

Ms Lankin: I'm pleased to have an opportunity to respond to the member from York South-Weston. In particular, I want to reflect on his comments about the paramedics who are calling on the government to institute in legislation a fair and equitable process for selection of an arbitrator and criteria for consideration by an arbitrator.

I'll have a chance in a few moments to speak at greater length on the bill, but on that particular point I want to say that I agree with the member. This is very critical. I fail to understand, and have yet to hear from government members who have spoken to this bill, why they see it as appropriate that these paramedics are to be treated differently than other emergency service workers like police, fire or nurses, those workers who also have access to binding interest arbitration as a dispute resolution mechanism, an arbitration process that has a different selection process for arbitrators and has very different criteria imposed on those arbitrators as they give consideration to the parties' representations before them.

Perhaps, if there's a government member speaking next, they may try to answer that question because I think it's a very legitimate point on the part of the paramedics of the province who are working for municipalities. Why should they be treated differently? Why should the criteria we impose on arbitrators considering their contracts be so much more stringent than in other areas? Why not trust the expertise of a professional arbitrator to look at how to replicate the contracts that would have been arrived at in free collective bargaining? Of course that begs the question, will you have full professional arbitrators doing these interest arbitrations? I ask the government members to address the point of why the process for selection of arbitrator that works so well for other essential public sector emergency workers shouldn't work for ambulance workers at all.

Mr O'Toole: It is an interesting debate this afternoon, on Thursday, despite the fact there are so few members present. But I think it's important to respond to the member for Hamilton East. Basically, he went on the normal, scripted tirade; I understand that.

I prefer to comment specifically to the member for York South-Weston, for whom I have a lot of respect.

He's sort of known as a fiscal person. When he was running for leadership, I was quite worried. His message clearly could have moved the party closer to a more reasonable line, and in the future that may be part of the discussion.

But more importantly in this particular debate today, the member for Beaches-East York asked for a response on, quite substantially, the very point the member for York South-Weston was questioning: the professionalism of the arbitrator, which is a quasi-judicial body. It's like elected government members trying to interfere with the judicial process, as if to imply that somehow the government wouldn't provide professional, well-meaning arbitrators from whatever party.

The member for Beaches-East York, as a former Minister of Health—I also had a lot of respect when she was there—realized the difficulty and the subtle differences between police, fire and ambulance. This is arguably the first step toward a much more harmonized approach to emergency services. In the differences between municipalities, the first phase here is providing standard levels of service agreements. That's important. The arbitrator will have to respect that. But under the NDP, when they were in government, they had these arbitrators whose rulings, some would suggest, and some of you who were in municipal politics may recall, were irrespective of the municipality's ability to pay. There's only one taxpayer, and what we're trying to find here is the right service at the right time in the right area.

I know this bill should be supported. It's the right thing to do. It's the first step in a long-overdue overhaul.

Mr Colle: I'm very happy to comment on the wonderful contributions made by my colleagues from York South-Weston, on the banks of the Humber River, and the member for Hamilton East, on beautiful Hamilton Bay. I would say that they care about these men and women who basically put themselves out to save people when they're in very fragile condition. So the least we can do in this Legislature is respect the fact that they do sacrifice themselves and they go above and beyond the call. I've seen it first-hand. I've ridden in the back of ambulances. I've been there, talked to them, and I think we have a calibre of people, certainly across the greater Toronto area, that is second to none.

So when legislation is before us, we have to think of the work they do to give them some kind of feeling of being respected for the work they do. That's what this legislation is all about, but this legislation doesn't have that respect in it. That's why my colleagues have stood up, saying, "Why not this respect for these men and women?"

As we sit here today, Mr Speaker, as you know, in the city of Toronto we are faced with an incredible crunch when it comes to emergency services. We've got ambulances unable to deliver sick people as a result of this government's lack of respect for our hospitals and emergency services. They have played recklessly with our hospitals and these men and women and downloaded things without ever thinking them out. They've closed in

Toronto alone six emergency departments, and the consequences are being felt by the men and women who deliver the sick, who are suffering because this government is so inept, so reckless in dealing with health care.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): It is a pleasure. As a former parliamentary assistant to the Minister of Labour, I think it's very important that we should have this sort of bill brought forward. I'll take the liberty of just explaining it to the audience out there who may be listening and wondering what this bill is all about.

The purpose of this bill is to ensure the provision of essential ambulance services in the event of a strike or a lockout. I think it's very important for the public, to make sure they have the assurance, whether there's a strike or a lockout, that if they ever need an ambulance, they must be able to have that ambulance available. In fact, even today in the committee we were discussing about some of the air ambulance services. The government is totally committed to making sure that is available and provided evenly all across Ontario.

1720

I'll go further. It would also require the employers who provide ambulance services and trade unions that represent employees involved in providing ambulance services to negotiate an essential ambulance service agreement. Again I will assure the people at home that if they are ever worried whether they will have ambulance service or not, this sort of bill will ensure, if passed, that those essential services are available for the people.

It's a great bill, despite the negativity and the opposition. In fact, even the \$200 that the government gave back, the opposition didn't like that either. I'm not sure why they don't like it. I'm sure the members opposite who spoke on this bill will agree that it is important to be able to provide this.

I know there are some other problems we are facing. The directive from the Minister of Health is out there to make sure that ambulances are not turned away, and we'll discuss that another day.

The Acting Speaker: Further debate? Oh, pardon me, a two-minute response, the member for York South-Weston.

Mr Cordiano: The essential point that's missing in this bill, let's be clear, is the fact that this government has not declared paramedics an essential service, period. They should be declared an essential service, like police, firefighters and other health care workers, end of story. You have not done that and therefore this bill falls short of what we consider to be absolutely necessary when it comes to health care workers.

I say to you, the government is consistent, because they consistently camouflage whatever they're doing. An essential service agreement is not to declare these workers essential. There is still an opportunity for this government to weasel its way out, that there not be a fair arbitration process.

The Acting Speaker: The member is pushing it. I would ask him to withdraw that, please.

Mr Cordiano: Pardon me; I did not intend for that to be unparliamentary. I withdraw that, Mr Speaker.

But I think it's fair to say that this government is suggesting through this bill that these workers are essential when in fact we know they're not going to be essential, as are the police and firefighters. That's what the public out there wants, ultimately. They want to know that paramedics who are in life-and-death situations are essential, that they're going to be there in the future and that there isn't a disruption of service.

As it is, with this essential service agreement there can be some who are on strike, but the majority of them will not be. They will not be given access to a fair binding arbitration process, and that's the bottom line. It's a failure. This bill does not satisfy that essential service declaration that we want and therefore we won't support it.

The Acting Speaker: Now the floor is open for further debate.

Ms Lankin: I'm pleased to participate in the debate on this bill at this point in time. I suggest to members opposite that some of the things I will speak about you may have heard me speak about on previous arbitration bills, because there are some very strong parallels in terms of previous legislation that you've brought forward. But, of course, some of the comments set out—

The Acting Speaker: Excuse me. I'm sorry to interrupt, but we are out of rotation. Indeed, it is actually time now for the government, if they wish to have a speaker. I recognize the member for London West.

Mr O'Toole: What's with the golf shirt?

Mr Bob Wood (London West): I'm going to explain that in a moment. First, however, I would like to indicate that I'm going to be sharing my time with the member for Niagara Falls.

Someone asked a moment ago, "What's with the golf shirt?" That's a good question. As members will note, I am wearing a Golden Horseshoe Marathon shirt and that is because I completed the last two kilometres of the 210-kilometre Golden Horseshoe Marathon in a wheelchair just an hour or so ago.

Ms Marilyn Mushinski (Scarborough Centre): Did you have help to make the last kilometre?

Mr Wood: I had to have assistance to make the last two kilometres, but that's another story.

The purpose of the marathon was to help research and treatment of spinal cord injuries and to promote better public understanding of disabilities issues. As the House can gather, it was highly successful, and I'm looking forward to participating again in the new year.

With respect to the bill before the House, I'd like to indicate that I do intend to support this bill because I think it's based on two principles, both of which are sound principles. The first principle is that everyone should have the right to free collective bargaining where this right does not conflict with the overall public interest. Where it does conflict with the public interest—and this is the second principle I suggested was a sound one—I think that free collective bargaining must be

limited so as to protect the public interest, and in some cases it has to be replaced by a right to independent arbitration. I think both of these principles are sound ones and they have stood the test of time.

The third option, of course, between free collective bargaining and arbitration is an essential services agreement. Those agreements have worked well over the number of years they've been employed. I think it's obvious, in the case of ambulance services, that there can't be unfettered free collective bargaining. This bill of course provides an answer to that, and I'd like to suggest to the House that it provides the right answer.

I'd like to test the provisions of this bill against the principles I've just outlined. The bill will require employers who provide ambulance services and trade unions that represent employees involved in providing ambulance services to negotiate an essential ambulance services agreement. The agreement would require that essential ambulance services continue to be provided during a strike or lockout.

The bill also provides for the employer to be able to call additional ambulance workers in to work for a temporary period for unanticipated emergencies that arise during a strike or lockout if the number of ambulance workers required to work under the agreement is insufficient.

I think that those provisions comply entirely with the principles I outlined earlier and indeed are going to lead to essential services agreements that work well.

I do not think this is a situation, as some of the members across the way would suggest it is, where we have to completely remove the right to strike. We can have the full benefits of free collective bargaining while fully protecting the interests of the general public. I think the provision I've just outlined does that in an effective manner that fully protects the interests both of the workers and the employers.

There is the provision that says the parties may apply to the Ontario Labour Relations Board if they are unable to negotiate an essential ambulance services agreement. They can also apply to the board to amend or enforce such an agreement. If the parties reach a total impasse on all issues, there has to be a means of arbitrating the essential services agreement itself. I think this is a fair means of coming up with an agreement where the parties themselves cannot do so.

We also note that in the bill there's a provision that says that either party can apply to the board for a declaration that the essential services agreement would deprive employees of a meaningful right to strike, or the employer of a meaningful right to lock employees out. In such a declaration, the board can order various remedies, including amending the agreement, appointing a mediator, referring the dispute to final and binding interest arbitration. I think that particular provision shows an approach that we see throughout this bill, which is that in a measured way we give the parties every opportunity to engage in free collective bargaining to resolve their issues. The imposition of any kind of solution on the

parties happens only if that is absolutely essential to protect the safety and health of the public.

We also note that if the board orders arbitration, any strike or lockout of any employees in the bargaining unit would be terminated, and the terms and conditions of employment that were applicable to them prior to the date on which the strike or lockout became lawful would be restored.

If the parties are unable to agree on an arbitrator, the Minister of Labour would be able to appoint an arbitrator and select the method of arbitration, which could include mediation arbitration or mediation-final offer selection. The arbitrator would be required to consider specified criteria in making an award.

1730

There's some concern about how the arbitrators are selected. The answer to that of course is that the arbitrators are going to be selected by the parties in almost all the cases. This is a procedure that has been done in labour relations for at least the past 57 years and that has worked well. But I would like to remind the House that arbitrators do not function in a vacuum. Arbitrators are subject to various rules of law, and those rules of law require, for example, that there be no reasonable apprehension of bias with respect to someone who is doing an arbitration. So if either party has a reasonable apprehension of bias, in other words that they're not going to get a fair shake from the arbitrator, that party can have that arbitrator removed and someone else appointed.

The arbitrators are also subject to the legal requirements of what is basically due process: to treat the parties fairly procedurally. When we hear some of the concerns raised by the opposition about arbitrators being unfair, I think the members raising that tend to forget the rules of law by which arbitrators are bound and are required to follow in each and every case. So when we hear concerns raised, and of course it is the function of the opposition to raise concerns, we have to see those concerns as being plausible or implausible in light of the long history of how arbitrations have worked in labour relations in Ontario.

I'd like to suggest to the House that we have a very good history of well-conducted and fair arbitrations, and all this bill does is make available to the parties a system that has worked very well. When you get right down to it, when you consider the number of arbitrations conducted every year in this province, and by the way not just in the labour relations area, and consider the number of applications for judicial review, it has to be an extremely small percentage of the total number of arbitrations that are done. What that tells me, at least, is that the parties by and large approach arbitrations in a fair-minded and sensible way. They realize they have reached an impasse. They realize arbitration has to be done in these circumstances. They look for a fair arbitrator, they come up with a fair arbitrator, and of course they have to live with the decisions the arbitrator makes.

As this bill comes into operation, as I hope it does, I think that's how we're going to find the bill actually

working. There may be very rare cases where the minister actually has to appoint an arbitrator. I acknowledge that in a few cases that may actually happen, although when you look at the record, it's an extremely small percentage of the number of cases that are actually arbitrated. Where that does happen, I think the mechanism set out here is going to result in the kind of fair and expeditious arbitrations that are so common in this province.

The members should bear in mind that the minister is going to bear in mind what I've just said when appointing an arbitrator. He is not going to get involved with any hint of reasonable apprehension of bias. He is not going to get involved with an arbitrator who doesn't have the skill and doesn't understand what's expected of an arbitrator and the legal requirements that apply to an arbitrator.

When we hear these concerns, the concerns are sometimes raised in a way that would leave one with the impression that an arbitration is done with no ground rules, no history of how these things are conducted and should be conducted. I think when you look at it without looking at it in that context, one tends to have an erroneous impression of what the likely result is going to be of the system that's proposed and of this bill. I would invite members to take a look at the history, take a look at the context and take a look at what I think are the very sound principles I outlined earlier. After they do that, I think most fair-minded members are going to give serious consideration to supporting this bill.

On that note, I would like to give the balance of my time to the member for Niagara Falls.

Hon Frank Klees (Minister without Portfolio): On a point of order, Mr Speaker: I know that the Speaker earlier recognized the pages who were with us. I'd like to take this opportunity to particularly recognize Phillip Birnbaum from Oak Ridges. He's a fine young man, has an outstanding record of community service already at his young age, and I wish him well in his future career.

The Acting Speaker: Thank you.

The member for Niagara Falls now has the floor.

Mr Bart Maves (Niagara Falls): Thank you very much, Speaker, as you were kind enough not to rule that was actually not a point of order but I guess well-received praise from the chief government whip toward the page he mentioned.

While we're on that subject and while I have a little more freedom to say what I want as I speak over the next few minutes, I might also congratulate my page from Niagara Falls, Katie Cook. Katie has done a great job over the past month. I'd just like to point out to the members opposite that I actually coached Katie in basketball this past year, in January and February, on the John Marshall basketball team. Katie was a tenacious point guard for our team. We went through the regular season in the playoffs undefeated and actually won the city championship at our level. I've had the great pleasure of knowing Katie for more than just her time as a page; I've also known her since January at her school. So

congratulations to you, Katie, and to all of your fellow pages. I'm sure if all members had the opportunity, they'd get up and speak similarly in glowing terms about the other pages, who have all done such a great job.

But I digress, Speaker, and I apologize for doing that because I know I'm testing your patience.

It is important today to rise and speak about Bill 58, the Ambulance Services Collective Bargaining Act. I, as the parliamentary assistant to the Ministry of Health, have had the honour and pleasure of following Brad Clark, who's currently the Minister of Transportation and was formerly the parliamentary assistant to the Minister of Health, as well as Brian Coburn, who was the parliamentary assistant to the Ministry of Municipal Affairs, who is now the Minister of Agriculture and Rural Affairs in Ontario. Both those gentlemen served on behalf of the government of Ontario, along with members from the Ministry of Health, on the land ambulance implementation steering committee—as we call it, LAISC.

This is a committee made up of myself and the parliamentary assistant now, Mr Kells, the parliamentary assistant for Municipal Affairs, members of the Ministry of Health and members from different municipalities. It's co-chaired by Mr Roger Anderson, the regional chair in Durham. There are members from city council in Hamilton. The CEO from Thunder Bay is on that committee. The emergency health services director, Ron Kelusky, from Toronto is on that commission. John Cunnane, from my own Niagara region, who's in charge of emergency medical services, also serves on that committee.

It's been an excellent committee. We've dealt with a lot of issues. Prior to my getting the appointment as parliamentary assistant in health and going on the committee, we dealt with a funding template because initially we were letting municipalities fund 100% of ambulance services, but we've taken back 50% of that cost. We then had to enter into a relationship where we came up with a funding template of cost that the municipalities would incur when they deliver the services that we would agree to fund through the Ministry of Health.

Why is that necessary? We have many shared-cost programs with municipalities. What we need to say to someone to protect the taxpayer as best we can is, "You can't just give us a bill and say, 'Pay 50%,'" because we may be willing, for example, to say that we're willing to fund a LeSabre. If that municipality or other partner goes out and buys Park Avenues, we can say, "No, we only agreed to pay 50% of the cost of a LeSabre. You're going to have to find the rest of the cost of that more expensive Park Avenue." That's why we have to have a funding template which says what are eligible expenditures. That's something that committee has dealt with.

The committee currently works with how we're going to achieve certain response time standards that the province and LAISC can come up with. We're working diligently on that.

1740

We're also working diligently and have had discussions and will have further discussions on issues such as

dispatch services. The province of Ontario still delivers dispatch services and pays 100% of the costs of those services. The 19 dispatch centres throughout the province obviously work very tightly and uniquely with the municipally managed ambulance services, so that relationship is an important one if ambulance service, from the time of receiving the call to getting in the ambulance and getting to that patient, is going to be an efficient process. So we're working on that.

When I came to the committee, one of the problems that had not yet been dealt with that the Minister of Labour was working on was that now that these land ambulance employees, the paramedics, were no longer employees of the province of Ontario—they were now employees of the municipalities—that transfer meant that the majority of workers would now fall under the Labour Relations Act, and under the Labour Relations Act, those paramedics would have an unfettered right to strike. So it was acknowledged by everyone, I believe, including the paramedics, that it was important for us to ensure continuous ambulance services during any kind of a strike or lockout. It was important that we have a bill that would ensure continuous services in the ambulance sector.

I think the minister has worked diligently. I know there has been praise from the Association of Municipalities of Ontario for this legislation. I think the minister worked diligently to try to find a way of balancing the right to strike for these employees with the need for continuous service. As the minister has said I think on a couple of occasions now in talking about this bill, the unions in Ontario and the members opposite on behalf of the unions in Ontario quite often talk about the need to have that right to strike. So the minister has found a very neat way—it's not the first time this has ever been done—of making sure these paramedics have a right to strike and a right to collectively bargain, to maintain their right to engage in a collective bargaining relationship.

How does this happen? They are now members of the larger bargaining unit, and if that larger bargaining unit, which includes paramedics and other municipal employees, decides to strike—in order to have a meaningful right to strike, they have to have a large enough bargaining unit—then the paramedics, which are part of that broader union—75% probably will remain and become an essential service and continue to do their work. The remaining percentage of paramedics may also go out on strike. That leaves that lever for the paramedics and those other public service workers when they strike to withdraw their service, because they have the right to withdraw the service, as a lever when engaged in negotiations. Yet this unique relationship keeps a majority of the paramedics on the job and looking after the health and safety of people.

When there is a settlement with that broader collective, whatever the benefits and wages that collective agreement and that collective action that they took comes to a conclusion, then those paramedics who remained on the job get the full benefit of that job action, and they will get whatever pay increases are arrived at, whatever

benefit improvements are arrived at, and all the while they kept their essential services being delivered to the people of their municipality, which I think all of us in this place know is an appropriate and important thing to have occur.

I congratulate the minister on a creative bill and a creative way of letting people retain their right to strike, letting them continue to be involved in a collective bargaining arrangement, yet protecting the citizens of Ontario.

The Acting Speaker: It is now time for questions and comments. Hearing none, the floor is open for further debate.

Mr Gerry Phillips (Scarborough-Agincourt): I am pleased to continue the debate on the bill. Many of us in the Legislature have had experience in the health care area. I was fortunate enough to be on a hospital board in the area I represent, Scarborough, and appreciated more and more the role that our paramedics and ambulances play in health care. Certainly, as we look ahead, with an increased amount of home-based care, our hospitals working hard to minimize the length of stay in a hospital, where much more of our operations are done now on an out-patient basis, many of us are aware of all of the—

The Acting Speaker: My apologies, member. If you'd just take your seat for a moment. We've now asked two ministers to this group meeting over here and I've asked you—

Interjection.

The Acting Speaker: If the member for Durham says one more word, he'll be leaving early. I've asked you nicely—

Interjection.

The Acting Speaker: I have asked you nicely. I won't ask again. The member may resume his debate.

Mr Phillips: Thank you, Speaker. The direction that I think probably all parties support is increased home-based care wherever we can, operating procedures done on a day-surgery basis where someone can be transported from their home to the hospital for a clinic. That's in all of our best interests. I think the patient is more comfortable in many respects at home with the adequate services. Our hospitals are not tied up with expensive long-term stays by individuals, and it's cost-effective.

One of the mechanisms that makes that work, of course, is our ambulance services, and one of the reasons why we've seen such a dramatic increase in the services provided by ambulances is just because of the way we now choose to deliver health care. I happen to have had a hip replacement. I was in the hospital for a relatively short period of time and then went to a rehab facility, by ambulance, of course. That was cost-effective all around.

My point is this: the ambulances have been an integral part of our health care system forever, but they are even more so now linked to the operation of our hospitals. For any of us who have spent any time watching a hospital, it's just a beehive of activity: ambulances bringing patients for day surgery or clinic work, transferring patients from one hospital to another. Increasingly, as we

all know, hospitals are specializing, so that a patient may be stabilized in one place and then transported to another. Consequently, while the ambulance service has always been essential, it is now virtually totally integrated into the operation of our health care system. It no longer is kind of a separate service; it's integral to our hospitals. So we're now faced with the challenge of how we ensure that that integral part of our health care system is available.

For our paramedics, our ambulance personnel, the bill may very well result in the worst of all worlds for them in that they no longer have essentially an unfettered right to strike. They have quite a limited right to strike and, without doubt, this bill will significantly weaken their bargaining position. The public may say, "That's fine, because one must look after the health care system," and I agree with that. But I don't think there's anyone who could look at this bill and not suggest that for our paramedics, our ambulance personnel, their bargaining rights are being substantially weakened.

Once the essential services agreement is signed, essential health services will continue to be provided, although, I might add, I think it's going to be very difficult to define any longer essential services. If you believe, as I believe, that now our very hospital system is essentially dependent upon our ability to transport people, whether for day surgery, for clinical work, for transport from one hospital to another—again, the area I represent in Scarborough, along with Ms Mushinski, both of us were on the hospital board together. Two of the major hospitals there merged, and I can guarantee you that throughout every single day there is an enormous movement of patients from one of those hospitals to the other and then back again.

1750

If you believe, as I do, that the ambulance service now is so integrated to our hospitals as to be essentially a part of it, what is the solution? The essential services agreement does provide for "essential services delivered during a labour dispute," but I believe there will be a very strong argument that there are relatively few non-essential services provided by our ambulance personnel. Most of their activity I think people now would regard as extremely important, if not essential.

What's the solution? You take away their unfettered right to a strike and you limit it with the essential services agreement. The solution that I think merits consideration, and certainly in our caucus we believe it to be the solution, is that if we believe police and fire are essential services, perhaps we have to look at the same sort of consideration for our paramedics.

As I say, my fear in this bill is that for our paramedics, rather than it helping to reach a collective agreement, it runs the risk of making collective agreements less easy to reach. It takes away a significant amount of their collective bargaining. When you try and find the middle ground, sometimes the middle ground can make matters worse and, in our opinion, this particular bill does.

As you look ahead at our health care system and the future of it, I think this particular bill, rather than

providing the solution, may very well simply add to some of the problems that we will encounter.

The Acting Speaker: Is the member concluding his remarks in total?

Mr Phillips: Yes.

The Acting Speaker: Very well. Then the floor is now open for questions and comments.

Ms Lankin: I want to say I agree largely with the remarks the previous speaker made. I think one of the things government members continue to ignore is, in my opinion, the absolute necessity, if you are creating a regime of essential services—I can talk about whether the way you're doing that is effective or not, and when I have an opportunity to speak to the bill at greater length, I would like to go into that. But if you are creating an alternative to a right-to-strike situation, an essential services regime with interest arbitration, binding arbitration as the end point for dispute resolution, it has to be a fair system that seeks to reflect what happens in the world of free collective bargaining.

The problem with this bill, and quite frankly with a number of other pieces of legislation most recently brought forward by this government which also fetter binding arbitration, is that you have created a scenario, both in terms of the process of appointment of arbitrators and then the criteria by which you seek to fetter their independent judgment, that leaves the workers without access to a fair dispute resolution mechanism.

Over and over again—I know the member from London who spoke talked about the principle of free collective bargaining, unless in the public interest you had to go to binding arbitration. He supported those principles. He also said he supported the principle of the binding arbitration process being fair. Here again, if you take a look at the list of criteria that are written into legislation, which direct an arbitrator—they go so far as to suggest that if there is to be an increase and the municipality argues there will be service cuts, to detail those service cuts. This is a system that does not allow for a fair review of the facts and figures by an impartial arbitrator.

Mr O'Toole: I'd say we've had a fair and open debate this afternoon on Bill 58. To repeat, it provides for essential services and provides for them in an uninterrupted way, while at the same time providing some process for arbitrated solutions, as well as trying to provide a framework for locally negotiated solutions.

The member from Scarborough-Agincourt—I'm quite surprised because he was close to getting it right—said there's a very close historic relationship. As we know, prior to January there were different groups that were directly delivered by hospitals that were covered by emergency services agreements. It was an essential service, and as such they did not have the right to strike even prior to January 2001. Then there were those that were provided by the municipal level of government that did have the right to provide other mechanisms for having a collective agreement, with the right to strike. What this does is bring together a comprehensive plan

that provides, in many cases, for locally negotiated solutions, and in the event that can't be achieved, for some arbitration process. I think when the member was speaking, if I was listening properly, he was saying he recognized the relationship, it being first an essential service.

As he would know, nurses don't have that right to strike but they do have other ways. Barb Wahl recently has been doing a great job of animating and articulating the nursing negotiations. In fact, that process is the important part. They have the right to oppose, whether it's government—in fact they negotiate with the hospitals directly. That will sort itself out in due course of time.

There is an important place for the rights of workers and the rights of employers, and that's what can't be overlooked. On those rare occasions when agreements can't be reached, there is a process for arbitration. I believe it's a quasi-judicial body. We should let that process work while respecting the important work that health care and ambulance workers provide to this province.

The Acting Speaker: The member for Scarborough-Agincourt has up to two minutes to respond.

Mr Phillips: I appreciate the comments from both the member for Beaches-East York and the member for Durham. The member for Beaches-East York is extremely knowledgeable in this area, so I listened carefully to what she said, not that I didn't listen to what the

member for Durham said, but I think Ms Lankin knows the area well.

She points out that for the employees who are affected by this legislation, the government has moved to direct the arbitrators. The government might say, "Well, it's our right to do that," but certainly if you are relying on the arbitrator to provide you with a fair settlement for your remuneration and your working conditions, when the government essentially puts—"handcuffs" is too strong a word—some significant restrictions on the arbitrator, you can understand why those who are impacted by it feel it's not a fair process.

The member for Durham mentioned nurses. I would point out to him that one of the things the paramedics have asked for in this bill, which they do not get, is the same criteria that would be used by arbitrators for nurses and police and fire. This bill, as the member for Beaches-East York has pointed out, does not provide the same criteria for the arbitrators. So if the member for Durham supports that, he may want to make sure an amendment is proposed for the bill—that would help to strengthen the bill, in our opinion—to make sure that the arbitrators, at the very least, have the same criteria as they have for nurses. I think he's made a good suggestion that I hope he will follow up with.

The Acting Speaker: It now being after 6 of the clock, this House stands adjourned until 1:30 Monday next.

The House adjourned at 1800.

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of Ontario**
Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**
Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Monday 11 June 2001

Lundi 11 juin 2001



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 11 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 11 juin 2001

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

AFFORDABLE HOUSING

Mr Mike Colle (Eglinton-Lawrence): As a result of the Mike Harris government's repeal of the Rental Housing Protection Act, which prohibited the demolition and conversion of affordable rental housing into luxury condos, modest and affordable rental housing across the city of Toronto is now being demolished and destroyed by developers who basically don't care about neighbourhoods and certainly don't care about affordable housing. By their demolition of this affordable housing, they are forcing low-income residents, mostly seniors on fixed incomes, literally on to the streets of Toronto. The destruction of affordable housing is essentially an attack on seniors and an attack on neighbourhoods. These are very livable, successful neighbourhoods that have been established over 50, 60 and 70 years, which the taxpayers of those neighbourhoods built.

Now we have individual developers that come in and destabilize neighbourhoods by demolishing existing low-rise affordable housing and replacing it with monster condos, causing immense disruption and destabilization of these beautiful neighbourhoods. We have cases like the Rosewell Court decision, Cheritan, where the OMB, appointed by this government, overrules local council, overrules local taxpayers, overrules elected officials and says no to thousands of citizens who are saying, "Protect our neighbourhoods."

Shame on this government—

The Deputy Speaker (Mr Michael A. Brown): Thank you.

SCOUT GROUPS

Mr Norm Miller (Parry Sound-Muskoka): Today I have the pleasure of recognizing and congratulating the scout groups of my district of Parry Sound-Muskoka. There are a number of groups that are going to be attending the Canadian Scout Jamboree, July 6 to 13, in Prince Edward Island. Those groups are the First Bracebridge Scout Group, the Third Bracebridge Scout Group, the First Milford Bay Scout Group, the First Gravenhurst Scout Group and the Huntsville Scout Group.

I'd like to congratulate all the parents, the scout leaders and the scouts themselves for the terrific fundraising they've done in making this project possible. They've raised \$1,200 for each scout and each leader who's taking part in this project. They did that through scrap metal collecting, car washes, selling hot chocolate at parades, beer bottle drives, spaghetti dinners, selling ice cream, selling baked potatoes and perogies, as well as other activities.

At the CJ there are going to be 10,000 scouts attending, as well as 5,000 leaders. It's going to be a fantastic week. I know the kids are looking forward to the mud maze, the obstacle courses, the badge trading and the many other activities that are going to be going on there.

I'd like to particularly recognize Dave and Kathleen Johnson as being a couple of the key people involved in this organization. It really was all the parents involved, taking part in all those various activities, raising \$1,200 per child to be able to attend this fantastic week-long scouting event, July 6 to 13, Prince Edward Island. Congratulations to all of you.

TOM JOY

Mr Dwight Duncan (Windsor-St Clair): On Wednesday evening, the Jewish National Fund will be honouring a man in my community who, I know, is a friend to many members of this House, Tom Joy.

Mr Joy is a remarkable member of our community and of this province. He is someone who has served us all well. He has a remarkable presence about him. He's physically imposing, with a broad smile and a warm way about him that I think all of us have come to appreciate over the years.

Mr Joy, for those who don't know, presently owns Windsor Raceway. He bought that at a time when it was suffering financially. He invested a huge amount of his own personal money to save that racetrack. That track contributes enormously to our economy. Mr Joy has contributed literally millions of dollars to various charities in our community and throughout the province.

One of the more interesting stories about Tom Joy is that when Mr Pearson passed his flag bill back in 1964, it was Tom Joy who got together a consortium at his request to mass produce it. I should say that Mr Joy hails originally from the great town of St Catharines, Ontario.

All members will not be aware that Tom Joy is now fighting the greatest battle of his life, with cancer. He's going to be home Wednesday for his tribute, and I know

all of us join in wishing him well in that fight as we celebrate the enormous contribution he has already made, knowing the great contributions he has ahead of him.

SIMCOE COMMUNITY ACCESS NETWORK

Mr Garfield Dunlop (Simcoe North): I'm pleased to rise this afternoon to comment on an exciting event that occurred in Simcoe county last Friday. I was pleased to join Jim Wilson, the Minister of Energy, Science and Technology, to announce the launch of the Simcoe Community Access Network, Canada's largest fibre optic community network.

This new network project will build a massive infrastructure over the challenging rural terrain of Ontario's second-largest county. In total, 600 kilometres of fibre optic cable will be constructed to connect municipal governments, health care providers, schools and college campuses, libraries and local businesses, 250 locations in all.

In February of 2000, the Ontario government invested \$1.7 million under the telecommunications access partnerships in the \$30-million project. The TAP program was initiated to improve Ontario's competitiveness in the new economy and create new high-tech jobs through advanced telecommunication applications and infrastructure.

I'd like to congratulate Desmond Lorente, president of the SCAN Development Corp, Glen Barnden, SCAN project manager, and all the partners who have worked so hard to make this project a reality. The SCAN fibre optic network will be constructed over the next 14 months by Hydro One and four local utility companies, and it will allow Simcoe county to remain highly competitive in a world economy.

COMMUNITY CARE ACCESS CENTRES

Mr Michael Gravelle (Thunder Bay-Superior North): The decision by the Minister of Health to freeze the funding for home care services in this province must be reversed. The implications of this freeze for the Community Care Access Centre of the District of Thunder Bay and for the clients they serve are devastating.

Unless Minister Clement opens his eyes and sees the damage this freeze will cause, we will see many of our frail and elderly residents, who are so keen to stay in their homes, forced back into the hospital system or, conversely, they will be kept in a hospital for a longer period, due to the lack of available care at home. Now, does that make any sense, when the entire purpose of providing these services is to help keep people in their homes?

What will happen to the people who have been able to maintain their independence when this brutal decision forces the access centre to ration services and provide care to only those most urgently in need of care? This is

cruel, this is wrong and it is in fact bizarrely unsound from a fiscal point of view. It simply makes no sense.

If I may, I'd like to direct my final comment to the Premier. Last week, Premier, I asked you to find time during your stop in Thunder Bay to meet with our local physicians in order for you to see the depth of our physician shortage crisis. Now I implore you to find time to meet with the board of our community care access centre. You need to understand first-hand just what this funding freeze will mean to the clients they serve.

This is an issue that is of extraordinary concern to so many in our region. Please listen to this plea for compassion and provide the funding that is needed for our hard-working and dedicated home care providers.

1340

THOPPIL ABRAHAM

Mr Peter Kormos (Niagara Centre): Mr Thoppil Abraham has been a leader in psychiatric care in Welland and the Niagara region for 18 years now. He's an incredibly professional, well-trained and committed psychiatrist who has been serving our community for almost two decades. He's been at the forefront of advocacy for adequate levels of psychiatric services for people in Niagara region. He's the one who blew the whistle and insisted we were short some 13 psychiatrists in Niagara region to reach the complement of 18, which is what would be required to have a sufficient level of psychiatric medical services.

He blew the whistle again. He blew the whistle on a secret report that had been prepared by the Clarke Institute that recommended the closure of one of Niagara's three psychiatric facilities. Dr Abraham, with the courage and the insight he's displayed for his whole career, said, "No, it simply can't be done. We don't need fewer psychiatric facilities, fewer beds. Darn it, we need more."

What was the response to Dr Abraham's courage? Well, I'll tell you that the regional medical advisory committee of Niagara health services fired Dr Abraham as the senior responsible physician for mental health and psychiatry. This is a pure political response to a psychiatrist who has shown courage and insight during the course of his career. I condemn that action by the health services of Niagara and by the medical advisory committee. I call upon people in Niagara and across this province to express their outrage at that treatment of a brave and conscientious medical practitioner.

MEMORIAL SERVICE

Mrs Tina R. Molinari (Thornhill): On a crowded beachfront in Tel Aviv a couple of weeks ago a suicide bomber claimed the lives of 20 young people and wounded 86 others as they were enjoying the start of their weekend at a nightclub that faced a promenade area lined with restaurants, bars and hotels. Last night I attended a community memorial gathering at Mel

Lastman Square to grieve for the victims of this latest tragedy.

Most of the victims of the tragedy were recent immigrants from the former Soviet Union. Their brutal deaths plunged the country into mourning and sent shock waves around the world. Among the speakers at last night's memorial was Rabbi Zaltsman, who is a spiritual leader in the Russian Jewish community. He had known many of the victims whose lives have been claimed in the recent fighting that has occurred since September.

Young people came forward to light candles placed at the foot of the stage at Mel Lastman Square, one candle for each of the 20 victims. Boards that displayed the victims' names flanked both sides of the stage. All 20 of the victims' names were read as the candles were lit.

Let us hope and pray for the families of the victims whose lives were cut short in this recent tragedy and for all the families that have suffered because of the breakdown of peace in the Middle East. We can only pray that a solution to the current problem can be obtained so that tragedies such as this do not occur again.

COMMUNITY CARE ACCESS CENTRES

Mr Rick Bartolucci (Sudbury): Imagine being elderly, sick and without family or resources. Within that context, imagine receiving the following letter:

"Dear Client....

"I am writing to advise you that serious reductions in home care have become necessary right across Ontario due to inadequate funding and the fiscal policies of the current provincial government. For these reasons, community care access centres are being forced by the government's policies to make deep cuts in their services.

"... our agency, with deep regret and sincere apologies to our clients, will be introducing service reductions."

It's bad enough that this is happening, but when you imagine that this is a covering letter from the former president, the past president of the Ontario Association of Community Care Access Centres and one of the architects of community care access centres, you understand just how wrong this government is in their mean-spirited approach to the elderly and frail of this province. So today, on behalf of Bob Fera, on behalf of all the clients of community care access centres across Ontario, I implore the Mike Harris government to rethink their policies with regard to home care and to provide adequate resources that will meet the needs.

CATCH THE SPIRIT

Mr John O'Toole (Durham): It is my pleasure to rise in the Legislative Assembly today to talk about an important community event in my riding of Durham. This Saturday, June 16, the community of Tyrone is hosting an event called Catch the Spirit, at the Tyrone Community Centre.

This is the first time in a decade that Tyrone has held this re-celebration. One of the event organizers, Joy

Vaneyk, has planned this ceremony to resemble similar ceremonies that were held in Tyrone over a 20-year period. There will be a ribbon-cutting ceremony for the opening and a basketball court and new playground equipment for the Tyrone Community Centre. Clarington firefighters have also got involved and will be hosting their Safety House and giving parents and children valuable safety tips.

One of the highlights of this day will be to recognize the many volunteer contributions made specifically by two important area residents, Edna Philp and Laverne Taylor. In this International Year of Volunteers, I commend the community of Tyrone for their efforts to keep small-town Ontario spirit alive. I congratulate Ms Philp and Ms Taylor on their kindness of spirit and involvement in building strong communities.

VISITORS

Mr John O'Toole (Durham): Mr Speaker, time permitting, I would like to recognize former parliamentarians who are in the Speaker's gallery joining us today.

Mr Michael Gravelle (Thunder Bay-Superior North): On a point of order, Speaker: I'm sure everybody will want to help me welcome students and staff from St Brigid school in Nakina, in my riding of Thunder Bay-Superior North. We're glad to have them here.

The Deputy Speaker (Mr Michael A. Brown): That is not a point of order, but we welcome them.

ANSWERS TO WRITTEN QUESTIONS

Mr David Caplan (Don Valley East): Speaker, I have a point of order in regard to standing order 97, which talks about written questions placed to ministers. You would know that on April 24 I placed nine questions to the Minister of Municipal Affairs and Housing, and they have been printed in Orders and Notices every subsequent week. I should tell you as well, Speaker, before you understand the fullness of this matter, that back in December, I placed the selfsame questions to that particular minister, or rather to his predecessor, and it has been since December that the ministry has had an opportunity to at least place a response.

According to standing order 97(d), "The Minister shall answer such written questions within 24 sitting days, unless he or she indicates that more time is required...." It goes on, and I could read the entire section, but in section (e) it says, "The answers to such written questions shall be given to the member who asked the questions and to the Clerk of the House who shall print a notation in the Votes and Proceedings that the question has been answered."

Speaker, these questions have been sitting on the order paper since December. It was the government's choice not to call this House back for 133 days. This is a breach of the standing orders. I believe it is a contempt of this House, and I seek some redress and a remedy from you.

The Deputy Speaker (Mr Michael A. Brown): Thank you. That is a point of order. Questions do need to be answered within the time allocated in the standing orders. I would hope the ministry can accommodate the standing orders, but I have no authority to compel it.

VISITORS

The Deputy Speaker (Mr Michael A. Brown): We have with us today in the Speaker's and public galleries former members of the provincial Parliament attending the inaugural meeting of the Ontario Association of Former Parliamentarians.

I would like to acknowledge the members of the founding executive: Reverend Derwyn Shea, Mr Gilles Morin, Mr Terence Young, Mr Tony Silipo, Mr John Parker. Please join me in welcoming our special guests.

INTRODUCTION OF BILLS

ONTARIO WATER RESOURCES AMENDMENT ACT (WATER SOURCE PROTECTION), 2001 LOI DE 2001 MODIFIANT LA LOI SUR LES RESSOURCES EN EAU DE L'ONTARIO (PROTECTION DES SOURCES D'ALIMENTATION EN EAU)

Mrs Dombrowsky moved first reading of the following bill:

Bill 79, An Act to amend the Ontario Water Resources Act with respect to water source protection / Projet de loi 79, Loi modifiant la Loi sur les ressources en eau de l'Ontario en ce qui concerne la protection des sources d'alimentation en eau.

The Deputy Speaker (Mr Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): The Ontario Water Resources Amendment Act, 2001, amends the Ontario Water Resources Act with regard to the availability and conservation of Ontario water resources.

Specifically, the bill requires the director to consider the ministry's statement of environmental values when making any decision under the act. The bill also requires that municipalities and conservation authorities are notified of applications to take water that, if granted, may affect their water sources or supplies.

THE BOYS' HOME ACT, 2001

Ms Churley moved first reading of the following bill:
Bill Pr13, An Act respecting The Boys' Home.

The Deputy Speaker (Mr Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Hon Brenda Elliott (Minister of Intergovernmental Affairs): On a point of order, Speaker: On this special day, in honour of so many parliamentarians joining us here in the House, I would seek unanimous consent that for this day only, these former parliamentarians be allowed to heckle.

The Deputy Speaker: Do we have unanimous consent? I heard a no. It may be difficult to stop them, but I heard a no.

MOTIONS

HOUSE SITTINGS

Hon Janet Ecker (Minister of Education, Government House Leader): I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, June 11; Tuesday, June 12; and Wednesday, June 13, 2001, for the purpose of considering government business.

The Deputy Speaker (Mr Michael A. Brown): Shall the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. It will be a five-minute bell.

The division bells rang from 1354 to 1359.

The Deputy Speaker: Order. Mrs Ecker has moved that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, June 11, Tuesday, June 12, and Wednesday, June 13, 2001, for the purpose of considering government business.

All those in favour will stand one at a time.

Ayes

Agostino, Dominic
Amott, Ted
Baird, John R.
Barrett, Toby
Bartolucci, Rick
Beaubien, Marcel
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Bryant, Michael
Caplan, David
Chudleigh, Ted
Clark, Brad
Clement, Tony
Colle, Mike
Conway, Sean G.
Cordiano, Joseph
Crozier, Bruce
Curling, Alvin
DeFaria, Carl
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Dunlop, Garfield

Ecker, Janet
Elliott, Brenda
Flaherty, Jim
Gilchrist, Steve
Gill, Raminder
Gravelle, Michael
Guzzo, Garry J.
Hardeman, Ernie
Hastings, John
Hoy, Pat
Hudak, Tim
Jackson, Cameron
Johnson, Bert
Kells, Morley
Kennedy, Gerard
Klees, Frank
Kwinter, Monte
Levac, David
Marland, Margaret
Miller, Norm
Molinari, Tina R.
Murdoch, Bill
Newman, Dan
O'Toole, John

Ouellette, Jerry J.
Parsons, Ernie
Patten, Richard
Peters, Steve
Phillips, Gerry
Pupatello, Sandra
Ramsay, David
Runciman, Robert W.
Sampson, Rob
Sergio, Mario
Smitherman, George
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stockwell, Chris
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Turnbull, David
Wettlauffer, Wayne
Witmer, Elizabeth
Young, David

The Deputy Speaker: All those opposed will please rise one at a time.

Nays

Churley, Marilyn
Hampton, Howard
Kornos, Peter

Lankin, Frances
Marchese, Rosario

Martel, Shelley
Martin, Tony

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 70; the nays are 7.

The Deputy Speaker: I declare the motion carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

ONTARIO ECONOMY

Hon Robert W. Runciman (Minister of Economic Development and Trade): In the speech from the throne on April 19, our government set out 21 steps that would bring Ontarians into the 21st century.

The first step focuses on maintaining a strong economy with competitive business sectors that create jobs. To that end, step 1 calls for the removal of barriers to jobs, investment and growth so that Ontario will remain strong and competitive with the rest of the world.

As part of that process, this summer the ministry will begin meetings with representatives of key business and industry sectors to determine what they require to remain competitive in a global marketplace. My colleague the honourable member for Halton, Mr Chudleigh, parliamentary assistant for the Ministry of Economic Development and Trade, will shortly begin face-to-face discussions and round-table meetings with representatives of the chemicals industry.

From 1986 to 1996, this industry grew faster than the entire manufacturing sector. These meetings will be followed during the summer by consultations with the industrial, commercial and institutional construction industry, a key employer in the province that builds our commercial and industrial infrastructure.

My colleague will also meet with experts in early-stage equity financing about the issue of access to risk capital for emerging high-growth firms. This is an issue that is crucial in terms of the success of these firms, which cut across all sectors. The purpose of these consultations is to discover the existing or emerging barriers to competitiveness and to identify opportunities for building stronger businesses and sectors. We must ensure our businesses are operating on a level playing field. Our business leaders and associations are the best source of information for this purpose. They have practical experience, waging daily battles with global competition.

I believe this process will result in concrete ideas and suggestions to help Ontario remain competitive with the world.

I plan to inform the House of our findings following my colleague's final report this fall.

VICTIMS OF CRIME

Hon David Young (Attorney General, minister responsible for native affairs): Today, June 11, the annual day of commemoration for victims of crime, we stand to reaffirm our commitment: our commitment to support victims and to keep communities across Ontario safe.

Our government stands solidly on the side of victims of crime. We have backed that promise by funding a wide range of government and community programs that serve people across this province who have been victimized.

Some of our actions in the past six years include creating and expanding Canada's most comprehensive domestic violence program. We have also dedicated up to \$50 million in funding under our victims' justice action plan to provide further, better and faster services for victims of crime. This is in addition to the money already spent across government to provide services to victims.

Just last week I stood in the Legislative Assembly and introduced for first reading a bill entitled Prohibiting Profiting from Recounting Crimes Act. If passed, this bill will help to ensure that victims are not revictimized and it will also help to prevent criminals from profiting through the recounting of their crimes.

Five years ago we proclaimed the Victims' Bill of Rights. That was indeed a precedent-setting act which legislated a series of principles to support victims with timely, respectful, courteous treatment throughout the criminal justice system. However, we understand that there is more to do and we will do more.

Today, in this Legislature, in this building, we are proclaiming the Victims' Bill of Rights Amendment Act. This act creates a permanent Office for Victims of Crime. It is the first such permanent agency in this country and it is being established to advise government on matters of relevance to victims. It will help us ensure that the principles of the Victims' Bill of Rights are respected, and we will do so by consulting with victims. It will help us to implement provincial standards for services for victims of crime. It will identify community priorities for funding through the victims' justice fund, which I mentioned a moment ago. The office will also work closely with government to develop policies to further our efforts to support victims and—let me stress—to prevent further victimization.

Sharon Rosenfeldt, chair of the Office for Victims of Crime, and Scott Newark, who is special counsel to the same office, are here in the gallery today. I would like to take this opportunity, if I may, to thank them publicly for the tremendous work they have done to support victims across this province, on behalf of victims in this great province.

I am also pleased to tell the Legislature that over the next three years we will be expanding three very important programs that serve victims of crime across this province. These programs are part of the victims' justice action plan that our government announced last year.

The victim/witness assistance program, which provides information and support to victims across the province throughout the court system, will be increased by 31 sites. This will bring a total of 57 sites across the province.

The victim crisis assistance and referral service will be increased by 15 further sites. When completed, we will have a total of 42 sites across the province for this very important program. This vital service is managed by community-based boards, and it provides crisis intervention services to victims of crime and disaster through police referrals. That exists 24 hours a day, seven days a week.

Our government will also expand the SupportLink program. SupportLink provides free wireless phones, preprogrammed to dial 911, for victims at risk of personal harm from sexual assault, domestic violence or from stalking.

I'd like to take this opportunity to thank Rogers AT&T Wireless and Ericsson Canada Inc for their participation in this very important program.

The pilot project established in Ottawa and Barrie of the SupportLink program has been very successful. That's why I am so proud to stand and announce that it will be expanded to 18 additional locations across the province.

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The permanent Office for Victims of Crime and the three program expansions I mentioned just a moment ago will help to ensure that if further victimization does occur, victims will have the supports they need and victims will have the supports they indeed deserve.

Yesterday, I was privileged to attend a ceremony at Convocation Hall at the University of Toronto. It was a ceremony in commemoration of victims, and there were many people in attendance. There were families and friends mourning the loss of loved ones. Individuals were acknowledged throughout the program for their personal strengths and for their very survival.

Leaders of victims' groups and advocates for victims of crime were there, and they all understood, all too well, the tragedy of victimization. So too does our government. We are listening to the voices of victims and, perhaps more importantly, we are acting upon what we have heard.

On this, the annual day of commemoration for victims of crime, I join with my colleagues in honouring all victims, in honouring their families who grieve and in honouring all of those who display rare courage, courage as they work to end violence in our society.

On their behalf, our government will continue to work hard to provide and to enhance victims' services. We will continue to seek policy solutions and to work to implement those solutions. And always, we will ensure that the rights of victims are protected throughout the justice system in this province.

Today, on this annual day of commemoration for victims of crime, I would ask all members of this House to join with me in reaffirming that commitment.

Mr Michael Bryant (St Paul's): Dalton McGuinty and Ontario Liberals wish to commemorate victims of crime by holding the government to account on promises made but unkept, by continuing to introduce new initiatives for the benefit of victims of crime, and by ensuring that this government commemorate victims of crime not simply by word, but also by deed.

Today, there is an announcement that a proclamation has occurred for an office that has been in existence since November 1998. I'd say to the government that, while this proclamation is a positive step, it's an overdue step and it smacks, I'm afraid, of yet another reannouncement when it comes to the subject of victims of crime.

I'd remind the House that the office of the victims of crime was the subject of a throne speech in April 1998. The creation of the office was announced in November 1998 and then in the year 2000, it was announced that the office would be statutorily entrenched.

Just in the past year, if you can believe it, we've had not just one reannouncement about this office, not just two reannouncements, we haven't had just three reannouncements in the last year; we've now had four reannouncements on the proclamation of this office.

I'd say that, yes, it is a recommendation fulfilled, but there are other recommendations that need to be fulfilled, as set forth in *A Voice for Victims*, authored by the Office for Victims of Crime. The office announced there is a significant disparity in the nature of victims' services available across this province, with no provincial standard. We hear the government talk the talk about promising to bring in a standard. I'd say to this government, let's commemorate victims of crime by actually enacting a provincial services standard.

The report concluded that there was an unjustified surplus in the victims' justice fund, while whole communities have no victims' services. I'd say to this government, let's commemorate victims of crime, not by talking about this unjustified surplus, but let's get the surplus out the door for those communities that need it.

I can only mention three for now. There is the existence of untapped financial resources in terms of uncollected fines and bail forfeitures. Let's stop talking about collecting these fines and let's just get out there and get this restitution on behalf of victims of crime.

Lastly, I'd say that we have before this House a number of initiatives, bills, introduced by Ontario Liberals. I would urge this government to bring them forward. We could do something for victims of gun violence. We could do something for victims of child prostitution, thanks to MPP Rick Bartolucci. We could do something for victims of organized crime, thanks to MPP Dave Levac. We could do something for victims of date rape drugs. We could do something for victims of domestic violence by implementing the Baldwin committee report provided in August of last year.

This side of the House will continue to fight for victims of crime, not just in words. When it comes to victims of crime, this government is all talk and no action.

ONTARIO ECONOMY

Mr Monte Kwinter (York Centre): I'd like to respond to the Minister of Economic Development and Trade. I welcome anything that the ministry puts forward to help encourage our competitiveness, and I wish the member for Halton well. I'd be a little more enthusiastic if I didn't think that this was just another public relations exercise.

I've had the opportunity over the years to attend meetings where they've announced a new initiative that amounted to no more than a new logo. I've heard about the ambassador program, where businessmen would be going to countries to which we export, and then while they were there, they would act as our ambassadors. I haven't seen any great results out of that.

But I can tell you this: there are lots of opportunities for us to become competitive. They're known; they're known to the industry and they're known to the government. All the government has to do is act on it. We have this huge, untapped resource of foreign trade technicians and professionals that we could bring into our economy to make us far more competitive, at very little cost. We have the ability to make sure that our universities have the proper funding so that we can train people, because when you talk to businessmen, they tell you the number one issue is that they don't have the skilled people they need.

Minister, again, I wish you well in your endeavour, I wish you good luck in it, but I tell you that there are things, like making sure that we're represented in our major markets. We should do these things the businessmen have been telling us. They've been telling us this when we go to pre-budget hearings. They've been telling it to us when we've gone to other committee hearings. The issues are known. What we don't know is what the government's response is going to be.

VICTIMS OF CRIME

Mr Peter Kormos (Niagara Centre): I want to say to the Attorney General that the temerity of his comments today is in no way mitigated by his feigned sincerity. His and his government's history is a betrayal of the incredible shallowness and hollowness of his comments today on behalf of victims.

Where was this Attorney General when we called upon him to protect a young victim, 17-year-old Jeffrey Fleeton, struck dead by an illegal load? What did this Attorney General's prosecutor do? This Attorney General's prosecutor cuts a deal in a backroom plea bargain with the offending trucking company to pull the charge in exchange for a \$2,000 contribution to a charitable organization so that the trucking company not only kills an innocent kid but then gets a tax receipt for an income tax break come time to file its taxes. I hope you're not suggesting that that constitutes standing up for victims, Attorney General, because it doesn't by anybody's measure.

Where was this Attorney General when we called up him to protect victim Robyn Lafleur just last week in this very Legislature? Remember Robyn Lafleur, Attorney General? You saw her picture. You can't meet her, because she's dead. She was killed in a workplace homicide down in Thorold at the Esquire factory. Esquire and its corporate ownership have been charged with dozens of federal and provincial charges. This Attorney General's prosecutors are in a backroom, cutting a deal, plea bargaining to pull charges so that convictions are removed from the prospect of possibility against the perpetrators of what amounts to a workplace murder.

Attorney General, you don't give a tinker's damn about Jeffrey Fleeton, a 17-year-old boy struck dead—

The Deputy Speaker (Mr Michael A. Brown): You'll need to withdraw.

Mr Kormos: Withdrawn. I'll explain to you the etymology of that phrase at some later time, Speaker.

You don't give a darn about 17-year-old Jeffrey Fleeton or his family. His family has been excluded from any consultation. His family has not been told what's happening behind those closed doors. His family has had the door locked, bolted, barred and slammed in their face by you and your prosecutors down in the Milton-Oakville-Burlington area.

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You don't give a darn about Robyn Lafleur, that dead young woman. We called upon you to ensure that your prosecutors prosecute those charges to the fullest extent to seek convictions against every accused after an extensive examination and after an extensive investigation of the facts. The facts were there to lay the charges; your prosecutors were there to withdraw them.

I spoke with Linda Even just last week. She has moved far away from Niagara region, where she was slashed and stabbed, knife blade after knife blade, in an attempt on her life. It was your prosecutors, Attorney General, who plea bargained that attempted murder away to a far lesser charge. Linda Even's attacker was out of jail a long time ago. Linda Even still lives with those physical scars, the physical disability and with the mental and emotional scars. She and her teenaged daughter, but 15 years old, are trying to rebuild their lives in a town far away from Niagara region, where she became a victim, first, of her spouse, and secondly, a victim of you and your government when your government pulled the charges against that perpetrator, effectively letting him walk on what should have been attempted murder. Surely 25-plus strikes to the body with a knife counts as attempted murder in any fair-minded person's mind; it didn't in your prosecutor's mind, Attorney General, when they pulled those charges and struck a backroom deal.

Linda Even was a victim once, of her spouse; was a victim twice, of this Attorney General; and is a victim thrice now, of this government, because she is forced to survive on ODSP benefits. You won't even give her sufficient resources to obtain the physiotherapy she needs to recover from those knife blows to her body that came this close to taking her life.

You talk about being concerned about victims. You're creating yet more victims. You've turned your back on victim after victim as your prosecutors and your crown attorneys plea bargain cases away on a daily basis, and we've raised them in this Legislature. This Attorney General says, "There's nothing I can do." Horse feathers, Attorney General, there is everything you can do. You can lay the law down with your prosecutors. You can give them the resources to prosecute these offences that result in death and serious bodily harm to people to the full extent of the law. You refuse to do that.

You've thrown your hands up. You're content with slick, facile press releases and press conferences. Victims don't believe you, we don't and the people of Ontario don't believe you.

Mr Steve Gilchrist (Scarborough East): Mr Speaker, I seek unanimous consent of the House for statements on the Ontario Association of Former Parliamentarians.

The Deputy Speaker: Agreed? Agreed.

ONTARIO ASSOCIATION OF FORMER PARLIAMENTARIANS

Mr Steve Gilchrist (Scarborough East): Mr Speaker, I believe we have agreement that each party will speak for approximately five minutes to welcome members of the association who have joined us here today.

I am pleased to have the opportunity to rise today and speak on the first anniversary of the passage of the bill that created the Ontario Association of Former Parliamentarians.

Every day on our way into this chamber I pass a wall downstairs on which are engraved the names of the former members of this Legislature. Regardless of the number of times I have passed that wall in the last six years, today it has taken on a special significance. That wall lists the members from all political parties who have taken the parliamentary concepts developed in Great Britain and adapted them to meet the unique circumstances of our great province. Visionaries such as Sir Adam Beck, Sir Oliver Mowat and Leslie Frost used the forum of this Legislature to develop and implement bold initiatives that propelled our province to the forefront not only within Canada but, arguably, of all the world economies.

Their visions have been embraced and improved upon by successive Premiers and MPPs and, regardless of our political differences, there has been a common goal of bettering the welfare of all Ontarians and ensuring that the provincial government remains relevant, responsible and progressive. I know that my colleagues on both sides of this House share my sense of honour to have been given the opportunity to join with the members listed on that marble plaque who have served the province as MPPs.

It wasn't that long ago that I first arrived at Queen's Park as a new member, with little knowledge of the workings of the Legislature. Instinctively, like most other

new members, I sought the advice of more experienced colleagues to help me find the way. Obviously, the business of the Legislature can't be put on hold while new members become acquainted with the rules and procedures, so for many members the learning curve was quite steep.

This was, in part, the inspiration for the creation of the Ontario Association of Former Parliamentarians. Born out of the deliberations of former members of all three parties, the goal was to create an association that would be far more than just a club for former MPPs. We know all too well the tragic consequences that have resulted from the dramatic change when people leave this chamber, especially when individuals are not prepared for that transition.

During the debate on the bill that created the association, all members of this House indicated they found it unacceptable that any member, past or present, should feel they have nowhere to turn when they require assistance. The men and women elected to this Legislature have brought to this job considerable expertise and knowledge from a wide variety of backgrounds. The association puts that knowledge and experience to use in a positive way and is ready to assist each and every one of us when the inevitable day comes that we too become former members.

Shortly after the bill was passed last year, I received a phone call from a constituent who had been watching the proceedings in the House that day. He commented that while such an organization was commendable, he couldn't believe the same elected officials he watched every day on the parliamentary channel could ever work together to help each other.

It struck me that most Ontarians don't get an opportunity to see the many occasions that members on both sides of the House do co-operate and work together on common goals. Far too often the focus has been on the negative aspects of our service and not the positive changes we are making each and every day. It's true that the media coverage of our parliamentary democracy can create the impression that individuals from different parties have little connection with each other and even less opportunity to work together. However, the co-operation by all members in the passage of this bill, when it came before our committee, was not unique. Instead, the tremendous work done by all the members of the general government committee on bills such as Brian's Law and the Franchise Act have shown me that co-operation can very much be an integral part of how we do business in this Legislature.

Today the Ontario Association of Former Parliamentarians works to support Parliament by offering non-partisan support for the parliamentary system. It helps develop relationships between former members and current members, and it assists former members who have completed their service and are attempting to make the transition back to the private sector. The association has elected a board of directors representing all political parties and has opened a small office to better serve the needs of former MPPs.

The association highlights the great respect each of us has, not only for each other but for the institution of Parliament. Each and every day the people of Ontario put their trust in us as elected officials to represent their interests in this Legislature.

Since Confederation we've built a province that is tolerant, a province that respects and encourages diversity, a society where an individual can start out with nothing and with some hard work can succeed and even be elected to this chamber and become either an MPP or even a minister of the crown. The opportunities that generations of Ontarians have fought to create and maintain are in our hands to protect and build upon.

I'd like to particularly thank Reverend Derwyn Shea, Tony Silipo, Gilles Morin, Terence Young and John Parker for their hard work, dedication and continued service to the people of Ontario. It was their initiative that helped create and establish this association, and it's been their hard work that's enabled the Ontario Association of Former Parliamentarians to grow.

I appreciate the opportunity to speak about this very important organization. I hope all members, past and present, take the time to learn more about this association and consider giving their time, experience and knowledge to help others who may benefit.

Finally, I want to thank the 40 former MPPs who have joined us here today in the Speaker's gallery and congratulate all of them and all of their other colleagues who are not with us today for their dedication and their record of service to the people of Ontario.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): On my behalf and on behalf of my Liberal colleagues, I want to join in the remarks and welcome our former colleagues to the Legislature today.

I was pleased this morning to have a coffee with the chair of the group, that noted Anglican divine from the west end, the Reverend Derwyn Shea. I want to congratulate Derwyn and my former colleague Gilles Morin and the others who worked so hard over the last number of years to bring about what the previous speaker indicated we celebrate today.

It is, as I think someone mentioned earlier, the fate of all of us that at some point we are going to go from here to there, and as I look up to the gallery, I say, advisedly for all of those of us down here, that it's useful when you've been around a while to think about who's up there.

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I won't go through the entire list, but these days it's fashionable to talk about grassroots politics. Our old friend Lorne Henderson is up there, and I have to say that in all the years I've been here I've never met anyone who was a better grassroots politician than our former friend from Lambton. Lorne's ear was so close to the grass that he could hear it grow.

The former member from Wellington-Dufferin-Peel, Jack Johnson, is up there. I've known many sinners in politics. I don't think I ever knew a saint except Jack Johnson. Jack had to be one of the absolute best people

who ever came here, and I'm delighted to see him here today.

Gordie Walker's up there. I want to say to Gord that if ever there was a politician who was ahead of his time, it was Gord Walker. Gord's, shall I say, eclectic career—and it was an impressive career—reminds us all that sometimes chance and opportunity don't quite present themselves when and where you would like them to appear.

Mr Speaker Turner, a former member from Peterborough, is there looking youthful and vigorous as always. I have to apologize to John for all the trouble that people like myself and Bradley caused him when he was here to my immediate right.

The squire of North Port, James Taylor—Sir John Macdonald used to say to his friend Sir John Carling that no man could be as honest as Sir John Carling looked. I ask you to look at the squire of North Port and ask yourself, "Does he look like someone who said publicly in this place, not that many years ago, 'I, a minister of the crown, was sadly mugged in the corridors of power by those agents of Hydro?'" We didn't understand the full measure of what Jim was trying to tell us, but, Jim, I think there was more truth than perhaps we gave you credit for.

My old friend Hughie O'Neil, looking very elegant and sartorial, is a reminder to those of you in the envy league that those parliamentary pensions of yesteryear do have a certain appeal.

Doug Reycraft, formerly of Middlesex—I say to the ministerial cohort that you should be so lucky to have as diligent a parliamentary secretary as I had in Doug Reycraft in the days when controversial school bills certainly were given a broader canvas and a much more thorough ventilation than appears to be the fashion today.

Interjection.

Mr Conway: I say to the Minister of Finance that I'm trying to be balanced.

Warner is there. When the member from Guelph said we should ask people to give our visitors the right to heckle, it must be difficult for Mr Speaker Warner to sit so quietly. I'm sure it's the company he's keeping up there with the current chair of the energy board, who proves without doubt that there is a very purposeful life after one's retirement.

Not too many of the current group probably know Mac Makarchuk, but Mac is up there. Mac might want to wave. People think Kormos is entertaining and lacerating, but I want to tell you that in the old days when Mac Makarchuk was here, in the age when the new democracy really seemed to have a punch, when you could be both a hard-hitting socialist and quite a sailing entrepreneur at one and the same time, Mac certainly was one, and he looks like he has retired well.

I just want to say to all these people here today and others who are not in the gallery—I was delighted to see William Grenville Davis down at the reception. The former Premier is looking very well and sounding even more well. I won't reveal some of our conversation, but

he certainly seems not to have lost anything in his retirement.

Again, as I take my place, I just want to say on the Liberals' behalf that we support the initiative. I want to say on my own behalf, and perhaps a little undiplomatically, that I believe this institution is very important, as the previous speaker indicated. It is, in my view, an institution that's in trouble. It seems to be getting into more trouble all the time, and that is no one's individual responsibility. But hopefully we will find individual and collective ways of dealing with solutions to the institutional difficulty. I think that what the Reverend Shea and others have done to bring this group together might be part of the remedial action.

I'm delighted to see them. I welcome them and wish them well in their work.

Mr Tony Martin (Sault Ste Marie): I want to on behalf of the New Democratic caucus here at Queen's Park take this opportunity as well to recognize the important contribution that all members over the years have made to this wonderful place that we call Queen's Park, the Legislature. I think by recognizing the contribution that members have made who have since moved on to other things, we recognize the very valuable role the Legislature and government play in the life of the community, the wonderful community that we call Ontario. I think it's important that we today speak, as we are, of that contribution, of that both personal and public commitment that each member has made to this place and that has left its mark. Your footprints are all over this place as we continue the work you started and worked so diligently to make Ontario a better place.

We indeed I think owe a debt of thanks to those who worked so hard with this whole body to make sure this organization got up and running so that it could do the job it is mandated to do; people like Derwyn Shea and Gilles Morin were already mentioned. I think Tony Silipo needs to be mentioned as well, as a person who put a lot of time and effort and energy into making sure this organization got legs under it and got moving so we could have this day, and hopefully many more of them, into the future as we recognize people who have contributed in significant and important ways to the province.

I remember myself some of the characters I served with over the last 11 years. As I was coming here this morning, I was led to chuckle at times as I remembered some of the speeches they made, some of the shenanigans, the geriatrics that happened in this place, and people like—geriatrics? Is that what I said? Yes, anyway; sorry, no offence meant. I just couldn't find the right word.

People like Gilles Pouliot—some of you will remember Gilles, a very colourful and wonderful member of this Legislature from up north. I remember the night in here when, I think it was Minister Palladini, suggested that we didn't need inspectors on our highways any more because everybody now has a cellphone. Very quickly Mr Pouliot was on his feet to suggest to the minister that

up where he comes from, on a clear day you can see the curvature of the earth, so the next time his phone didn't ring, that it was Mr Pouliot calling. Many of you will remember that, and I will never forget it. It was an off-the-cuff statement that I thought spoke yards about Mr Pouliot and his ability and the contribution he made here.

Of course there was Bud Wildman, my good friend who on one hand was a person who worked very hard and was very committed to his constituency and this place and on the other hand enjoyed himself as a member of the Legislature. As a matter of fact, I was hoping somebody from the group would give Mr Wildman a call because, I have to say to you, since he retired, he's been driving me crazy back in the Soo. He thinks he's still the member for Algoma and is out there doing constituency work, except that he doesn't have a staff any more. It's now my staff that have to do that work. So if you have some job for him or something you think he could do, please give him a call. I'll talk to you after and give you his phone number, if you'd like, OK? Bud just cannot extricate himself or disconnect himself from the work he did here. I think Bud is only symbolic of so many who served with the compassion and intensity of so many of you.

I can't sit down here this afternoon and not recognize the contribution Gary Malkowski made to this place as a member of our government from 1990 to 1995, and the effort he went through to make sure we were all aware of the challenges that disabled folks across Ontario run into every day in their effort to try and participate in the communities in which they belong. His effort here was gargantuan as he tried to participate as fully as he could in this place—the kinds of changes he was the initiator of so that those who would come after him who are challenged with a disability of one form or another might be able to participate. Some of you will notice, and maybe not note, that whenever the bells ring in this place, a light goes on that flashes on and off. That wasn't here before 1990. It was on Gary Malkowski's insistence that when the bells rang in this place, if a member happened to be deaf, as he was, he should also have the opportunity to respond as quickly as possible, and so those lights were put in. We thank Gary and we recognize his contribution.

It's only one of the many contributions that all previous members have made to this place, and we thank you. It was a difficult job while you were here. We understand some of the challenges some of you might be facing out there now as you try to meld back into the communities from which you came and we wish you well in the future.

1440

Mr James J. Bradley (St Catharines): On a point of order, Speaker, just a point concerning the hearings: I don't know whether as Speaker you can deal with this matter. Perhaps it has to be with the committee. It's a logistical thing, more than anything else, that was in St Catharines on Friday when the hearings were held, to do with the bill that has the tax credits in it for education

purposes. There didn't appear to be sufficient room for those who wanted to observe at that time, because a lot of people are interested in it. Is there anything we can do that ensure that that would be the case?

The Deputy Speaker (Mr Michael A. Brown): Thank you for bringing that to our attention. The proper place to do that is at the committee, as the member would know.

ORAL QUESTIONS

WALKERTON TRAGEDY

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of the Environment. Last year seven died and 2,300 were made sick when the people of Walkerton drank tap water. The lab test results showing that the water was poisonous was only sent to the local water operator and was not sent to the local medical officer of health, who would have, had he received that notification, acted immediately to protect the people of Walkerton. As it was, he did not receive information until some three days later.

It turns out that three years ago, Madam Minister, that notice was sent to your Ministry from Richard Schabas, the then chief medical officer of health for Ontario, who expressed some very serious concerns in writing about the fact that there was "no legal requirement"—to quote—"in the Ministry of the Environment legislation reporting adverse drinking water test results to the local medical officer of health."

The chief medical officer of health for Ontario was putting your ministry on notice that, should the water be poisoned, they should receive that information. Why did you ignore that warning?

Hon Elizabeth Witmer (Minister of the Environment): I believe that is directed to the Minister of Health.

Hon Tony Clement (Minister of Health and Long-Term Care): The correspondence the honourable member refers to took place some considerable time in the past, and I would have to review that in order to answer him fully and completely.

Mr McGuinty: Back to the Minister of the Environment: there is a clear, written record putting your Ministry on notice of the dangers of not making it a legislative requirement, not passing a law, in Ontario that said that the new private water testers should be given the legal responsibility to notify the local medical officer of health, should something go wrong on the ground, as it did in Walkerton.

My question to you, Madam Minister, is, why did your Ministry ignore that warning? They said it very, very clearly: they think it's very important that the local medical officer of health have that information made available so that he or she can act on that very important information and thereby save lives.

In the case of Walkerton, the medical officer of health did not get information for three days. During the course of three days every single person, children, parents and grandparents alike, in the community of Walkerton drank deadly water. Why, Madam Minister, did your Ministry ignore this warning?

Hon Mr Clement: As the honourable member is well aware, as indeed we all are, there is currently a comprehensive review of the events in Walkerton being undertaken by Justice O'Connor, and it would not be appropriate for either myself or any other member of the Legislature to prejudge or to draw conclusions in the absence of Justice O'Connor's conclusions, in the absence of the completion of the commission. So at this point we're looking forward to receiving his recommendations, looking forward to receiving his conclusions, as I believe the honourable member is and indeed all members of the Legislature.

Mr McGuinty: Let me tell you a bit about the sorry and sad tale of warnings that went unheeded. This notice was sent to the Ministry of Health. Jim Wilson sent a letter, as minister, to the Honourable Norm Sterling, Minister of Environment and Energy, saying that he had some concerns about this. The Honourable Elizabeth Witmer, who then became Minister of Health, responded to that. Then we had notice from the Canadian Institute of Public Health Inspectors to the Honourable Tony Clement warning about the very same issue. Then we had the Honourable Dan Newman speak to the very same issue in correspondence as well. There were at least five ministers in the Mike Harris government who had it brought to their attention that there was a deadly gap in law, there was no legislative requirement being placed on the private water tester to put the local medical officer of health on notice in the event that the water was poisonous. The problem over there, Madam Minister, is that nobody then took responsibility for this issue. My question again is, with five ministers on that side who were aware of this deadly gap in time, why did you all ignore these warnings?

Hon Mr Clement: Indeed, these are the sorts of questions that had been raised by this same honourable member I believe a year ago in this House. So I thank him for reminding this House of his original allegations. I understand we have obviously a very comprehensive review going on by Justice O'Connor. If Mr Justice sees this as an important issue, I'm sure it'll get the examination that is required. I would like to end my remarks by indicating to this House, and through this House to the people of Ontario, that the very issue that was raised has been the subject of a regulation, so this issue has now been corrected.

ONTARIO DRUG BENEFIT PROGRAM

Mr Dalton McGuinty (Leader of the Opposition): My question is for the minister responsible for seniors' issues. Minister, I want to talk today about you government's plans to betray our seniors when they are most in

need, and that is when they are sick. Last week seniors in Ontario learned that they might face means tests when they need care in their homes. You were silent on this issue. Over the weekend, we learned that your government is also considering forcing seniors to pay for drugs. We haven't heard you speak to this issue yet. Now is your opportunity, as champion for Ontario's seniors, to express yourself. Will you now, without reservation, condemn your government's actions to impose these new means tests on seniors when it comes to their home care and their drugs?

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): I want to thank the honourable member for his question. Frankly, if he's relying on press reports to formulate his question, he has been badly misinformed. No decision has been made about the future of the Ontario drug benefit plan.

Interjections.

Hon Mr Jackson: I assume the members opposite would like an answer to the question.

Interjections.

The Deputy Speaker (Mr Michael A. Brown): Minister.

Hon Mr Jackson: What this government has said, and has said very clearly, is that the costs of health care in this province and all across Canada are becoming unmanageable for taxpayers, and part of the national discussion that's going on is about all aspects of health care. So it's clear that we are going to be discussing all aspects of health care. But no decision at this point has been made about the future of the Ontario drug benefit plan, a plan which I might add is one of the best plans in all of Canada. Ontario taxpayers are very proud of the fact that they are supporting this drug benefit plan without one single penny of federal government money.

1450

Mr McGuinty: It may be, Mr Minister, that no decision has been made. But what I want to know, on behalf of Ontario seniors—our parents and grandparents—is, what is your position on these matters? What are you taking to the cabinet table? We now have a proposal on the table that says the government is considering imposing new means tests for home care and drugs for seniors. You're the champion, duly anointed by Mike Harris, for seniors in Ontario. I'm asking you, on behalf of Ontario's seniors, on behalf of our parents and grandparents, what is your position on these new proposed means tests for home care and drugs for our seniors?

Hon Mr Jackson: Again, the member opposite is absolutely wrong. There is nothing on the table, as you propose there is. There is nothing on the table. What we have from the—

Interjections.

The Deputy Speaker: Order. Sorry, Minister.

Hon Mr Jackson: Thank you, Mr Speaker. I want to remind the member opposite that in the last election the sum total in your red book, your commitment to seniors in Ontario, was that you would form a committee and discuss long-term care. That was the level of your

commitment. I want to remind the member opposite what this government promised. It promised it would bring in 20,000 long-term-care beds, because the NDP and Liberal governments didn't build a single new long-term-care bed in this province for 10 years. That is a commitment, over \$1.2 billion. This government has increased home care by 72%—

The Deputy Speaker: Thank you. Final supplementary.

Mr McGuinty: Well, Ontario's seniors are in much bigger trouble than I originally thought. What they expected you to do today, Mr Minister, was to stand up and turn to your left, look at the Minister of Health and say, "No, not now, not ever. I'm the champion for seniors in Ontario. You can't do this." That's what they expected from you. At a minimum, that's what they expected you to say.

This government has as its overall inspiration to reduce corporate taxes so they're the lowest in North America. That's going to cost us \$2.2 billion. You are standing by while this Minister of Health is saying to Ontario's seniors, "Sorry, folks, you have to come second in line. Corporations come first. We want the lowest taxes in North America, and if that means you've got to pay money for your drugs, if that means you've got to pay money for your home care, then so be it." Do you know what? It's time for you now to stand up, do your job, earn your money and say no to this minister, you're going to stand up for seniors: no to a means test for drugs, no to a means test for home care.

Interjections.

Hon Mr Jackson: The honourable member and his entire caucus seem to forget that four years ago we had a federal budget which announced—you might find this interesting—a national pharmacare program. Do you remember the national pharmacare program?

Interjections.

The Deputy Speaker: Order. We're wasting time.

Hon Mr Jackson: Seniors were never included in the Canada Health Act. Seniors were never considered by Paul Martin Sr in the Canada Health Act. There's no money from the federal government for nursing homes, no money for the drug program for seniors and no money for home care. What we've had from Paul Martin Jr is a couple of budgets where he promised he'd do it. But like every other Liberal promise in Ottawa, it was broken. The only government that's making seniors come second is your federal Liberal cousins in Ottawa. You should talk to them to pony up and pay for the health care services seniors need in our province.

LONG-TERM CARE

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Health. In 1996 your government abandoned the minimum requirement of two and a quarter hours per day of nursing care for seniors in nursing homes. Today our seniors are lucky if they receive 14 minutes of nursing care from a registered nurse in a nursing home.

Recently a coalition of health care and seniors' organizations released a report based upon hearings they held across the province and they said your government's neglect of seniors amounts to nothing less than elder abuse. Our health critic, Frances Lankin, attended those hearings and heard horror stories while participating in the forums across the province. Now an independent journalist confirms the horrific situations, such as seniors left for hours lying in their own excrement and urine. Minister, will you immediately restore at least a minimum of two and a quarter hours of nursing care per patient so that our seniors can live in the dignity they deserve?

Hon Tony Clement (Minister of Health and Long-Term Care): I want to put before this House some other facts that might be of relevance; for instance, the 16% increase in the per diem rate for long-term-care facilities that was pursued by this government in 2001-02 in comparison to 1996-97, after we got elected. Indeed it is our position that for the first time in many years this government is providing not only operating funding, but also capital funding of an increased nature to our long-term-care facilities. We are reducing the waits. We are reducing the feeling that this is only for a privileged few. We are trying to open up the opportunity for more citizens to have a place in an excellent senior citizens' home, a nursing home, a long-term-care facility, whatever terminology you wish to use. Yes, this area of care has been chronically underfunded in governments gone by and years gone by. We are seeking to fix this problem as quickly as we can.

Mr Hampton: Minister, it's your government that has presided over the mammoth reduction in nursing care per patient. That's the issue, the quality of care patients are receiving, and your government has presided over a deliberate cut in that service. That's why our seniors are curling up and dying. That's why they're not getting the care they need. It really boils down to this: you've got \$2.25 billion in bloated tax cuts for corporations. Why don't you have the money to ensure that seniors get the level of nursing care they deserve? Why do they have to continue to be deprived by your government?

Hon Mr Clement: The honourable member is engaging in some terminology that some would find reckless or rhetorical, certainly rhetorical. The honourable member should be aware that in fact we have increased funding for long-term-care facilities, both operating and capital. We believe it is an essential component for our health care system. We believe it is important for the future of our health care system. We have been funding it to a greater extent than previous governments, not only on the operating but on the capital as well.

We have had to move forward, quite frankly, from the hole that was dug by the previous NDP government that did not invest either in capital or in operating to the extent that was necessary. We have had to fix the mistakes that were made by previous governments. It is a process that has taken some time. It would have taken less time if the honourable members, when they were in government, would have done the right thing.

Mr Hampton: The coalition of seniors' organizations and people concerned with home care brought forward a number of recommendations to you. They recommended that you restore the minimum level of nursing care to two and a quarter hours a day per patient. They recommended that you do something about the acute nursing shortage. They recommended an independent commission to look at the kinds of services that seniors need not only in nursing homes but in terms of home care.

The question is, Minister, are you prepared to do any of those things, or are you happy with the situation as it now stands?

1500

Hon Mr Clement: We will continue to invest in our long-term-care facilities. We will continue to build brand new facilities that are up to excellent standards. I myself have been involved in the celebration of new long-term-care facilities that are on-line, both the commercial ones as well as the municipal ones as well as the charitable ones. They are all being built; they are all open or in the process of being constructed for citizenry in Ontario. I encourage the honourable member to visit some of the new facilities. He will see, without a doubt, the best facilities that are being built on the continent. They are absolutely stupendous in terms of the new services they offer as well as the conditions in which our seniors will find themselves.

So the answer is yes, we are investing. Yes, we're investing in capital. Yes, we're investing in operating. It has taken us a while to get out of the hole that was dug by the previous NDP government, but I can assure the member that we are making progress.

WALKERTON TRAGEDY

Mr Howard Hampton (Kenora-Rainy River): My question is to the Minister of the Environment. We've said from the beginning that your wrong-headed cuts to the Ministry of the Environment and to environmental protection led to the tragedy of Walkerton. You have denied that, but evidence mounts that that's the case. In 1996, cabinet was warned that cuts to the Ministry of the Environment would increase the risk to human health, but you didn't listen. You tried to deny it.

Now we know that in 1997, the Ontario chief medical officer of health and the health minister both warned that privatizing the testing labs meant that the medical officer of health wouldn't be told immediately of adverse drinking water samples. They asked you to change the legislation to protect the integrity of our drinking water. Your government didn't do anything. In fact, you denied there was a problem.

Minister, in light of the seven deaths and the over 2,000 people rendered seriously ill at Walkerton, what do you say now? What's your excuse for ignoring the advice that was so clearly given to your government in 1996?

Hon Elizabeth Witmer (Minister of the Environment): As the leader of the third party knows full well, our government has made protection of the environment

a priority. Also, Justice O'Connor, of course, is conducting an inquiry. As the member full well knows, it would be inappropriate for us at this time to prejudge the outcome of that inquiry in Walkerton.

The Deputy Speaker (Mr Michael A. Brown): Supplementary, the member for Toronto-Danforth.

Ms Marilyn Churley (Toronto-Danforth): Minister, it has now been confirmed that you were warned time and time again, yet you took no steps as the then Minister of Health to have the legislation fixed. None of you over there took any steps after you were repeatedly warned. Now not one of you will take any responsibility for the tragedy that happened in Walkerton. As far as I'm concerned, Minister, you all have blood on your hands over there. People died in Walkerton—

Interjections.

The Deputy Speaker: Order. You will need to withdraw that.

Ms Churley: I withdraw, Speaker.

It is time that somebody over there, with all the evidence we have, takes some responsibility for what happened in Walkerton. I'm asking you today as the now Minister of the Environment, who had been warned by the previous Minister of the Environment, Norm Sterling, about the problems there, and by the previous Minister of Health, Mr Wilson, and you paid no attention and didn't fix it, will you today at least own up to that?

Hon Mrs Witmer: Our government has introduced Operation Clean Water, and we have taken steps in order to ensure that the residents of this province have the cleanest drinking water possible. In fact, we introduced the drinking water protection regulation, which, as the member of the third party knows full well, is among the toughest regulations of water systems anywhere in the world. We take our responsibility seriously to not only the citizens in Walkerton but citizens throughout the province of Ontario, and we have moved forward very aggressively in order to ensure that all guidelines became regulations, in order to ensure that we could protect the public health of people throughout Ontario.

COMMUNITY CARE ACCESS CENTRES

Mr Dalton McGuinty (Leader of the Opposition): This is for the Minister of Health. Minister, I have in my hand a copy of the report you released today, prepared by PricewaterhouseCoopers on Ontario's community care access centres. You've had this in your hands for six months now. I was surprised about what I did not find in here. To quote just a couple of the sections, it says, "Many CCACs are challenged to meet growing demands for service with their current funding allocations." Under "Areas for Improvement" it says, "need for more resources." It's got a section on recommendations, and it says, "strengthen CCACs; support CCACs; invest in CCACs."

Given the fact that you had frozen funding for CCACs, I have perused this report and if I'm missing it, please tell me where it is, but my understanding is that this report speaks in support of additional funding and

support for CCACs. Why have you ignored your own report?

Hon Tony Clement (Minister of Health and Long-Term Care): The honourable member has done a good job of cherry-picking certain aspects of the report. Let me elucidate a bit further for this House some of the other findings of the report, which incidentally were arrived at in co-operation with the CCACs because they are absolutely a critical component of our health care in Ontario: "lack of common understanding among CCACs and stakeholders on the mandate and performance...; variability in CCAC policies, scope of services and practice"; waiting lists with relation to the variability and some difference in terms of which policies they are applying and which policies they're not applying; "service maximums and homemaking criteria different among different CCACs."

The answer to the honourable member's question is, yes, I'm willing to say that perhaps the 72% increase in the budget may not be the final answer when it comes to CCAC funding in the future for the province of Ontario, but before we go there, how about making sure that the money the citizens of Ontario spend on home care for seniors and the disabled is spent in the best way possible?

Mr McGuinty: I'm just wondering why you're ignoring your own report, Minister. I'll draw your attention to something found on page 145 under the recommendation entitled "Investment." It says, "The following findings suggest that the current CCAC funding allocation requires enhancement." They talk about the problem with waiting lists. They talk about the problem with deficits. Half of the CCACs were then forecasting deficits. They talk about how difficult it is for service providers to recruit and retain front-line staff. They talk about an aging population. They talk about growing consumer demand. They make a pretty powerful and compelling and cogent argument for increased resources for additional funding for CCACs in Ontario so that they can carry out their important responsibilities.

So again, I ask you, why have you ignored your own report, which asks for an increase in resources, and instead frozen the budget?

Hon Mr Clement: The absolute answer is we're not; we're simply reading all of the report, which I encourage the honourable member to do at his leisure. All of the report indicates, due to its recommendations, that we have to clarify the mandate, the accountability relationships, the performance measures that need to be in place. We have to enhance the financial management to improve on the inconsistencies in the services. That's what the report says as well.

The honourable member is, I think, guilty of selective reading. Maybe that's the way he'd like to run his government in the future; I don't know. But I encourage the honourable member that if he aspires to higher office, he should read all of the report, A to Z, one to 50, all of the recommendations, before he announces to the world what his judgment is, because in this case his judgment is fatally flawed.

MINING INDUSTRY

Mr Norm Miller (Parry Sound-Muskoka): My question is for the Minister of Northern Development and Mines. Minister, as you're well aware, the Fraser Institute recently ranked the mining industry in Ontario number one in Canada and third in the world. The province made significant gains in terms of world ranking, moving to third in 2000-01. This report recognizes the Mike Harris government's commitment to encouraging a vibrant mining industry in Ontario.

1510

Minister, my constituents are elated to see that the Mike Harris government continues to work hard for the mining industry in Ontario to create an attractive mining investment destination. Can you tell us what initiatives your ministry has taken to promote investment in Ontario's mining industry?

Hon Dan Newman (Minister of Northern Development and Mines): I'd like to thank the member for Parry Sound-Muskoka for his excellent question. In the last couple of years the Mike Harris government has implemented various policies to make Ontario an attractive place to invest in mining. We have reduced the Ontario mining tax rate from 20% to 10% over five years. We have increased tax incentives provided for investors in flow-through shares. We've also introduced a 10-year mining tax exemption for new remote mines in our province. We are continuing to actively promote Ontario's mineral industry internationally, through Market Ontario. We provided \$3 million last year for advanced technologies for mineral exploration.

This is just a short list of what the Mike Harris government has done to make Ontario an attractive place to invest.

Mr Miller: I would like to thank the Minister of Northern Development and Mines for his response. Minister, I can assure you that those who work and invest in the mining industry are grateful for your hard work in making Ontario an attractive place to invest. Can you outline for us some of the programs your ministry is undertaking to promote growth in the mining industry?

Hon Mr Newman: I want like to thank the member for Parry Sound-Muskoka for his supplementary question. The Ministry of Northern Development and Mines has recently funded various programs to support the mining industry. These programs include an allocation of \$19 million for airborne and regional surveys for Operation Treasure Hunt; a four-year, \$27-million mine rehabilitation program; a contribution of \$6.8 million to a mining R&D program at Laurentian University; a contribution of \$1.6 million from the heritage fund to set up a world-class mining innovation centre in Sudbury. We've adopted information technology, like ClaimsMap II, to improve client service to the mining industry, and we've introduced amendments to the Mining Act to improve mineral exploration, mine rehabilitation provisions and to reduce administrative burden to clients.

We recognize there is still more to do and we will not rest on our accomplishments. We will not rest until we

are ranked not only number one in Canada but number one in the world.

EDUCATION FUNDING

Mr Dalton McGuinty (Leader of the Opposition): To the Minister of Education: Minister, let me tell you something about public education under this government. I've had the opportunity now to sit through some hearings in St Catharines and I strongly recommend the experience to you; that is, actually going to the front lines and hearing from real people about their real concerns about your new private school voucher. One of the things we keep hearing about is your cuts to education when it comes specifically to new textbooks for the grade 11 class for next year. You have cut the funding in half. The Lambton-Kent board last year received half a million dollars to purchase new textbooks for the grade 10 classes; this year they're going to receive less than half of that, \$244,000, for new textbooks.

Madam Minister, the question I have for you on behalf of Ontario's working families and their children inside the publicly funded education system is, why is it that you can find \$500 million in education dollars for private schools but you don't have enough money to ensure that students in the public system have textbooks.

Hon Janet Ecker (Minister of Education, Government House Leader): The honourable member has asked this question before. We've put forward the facts of the case. He doesn't seem to wish to reflect on those facts. Spending on the public education system for this upcoming school year has increased yet again. Over \$360 million in new dollars has gone out to our school boards to help them deliver quality education for our students. Second, we continue to provide textbook funding in two ways: (1) it is part of the foundation grant, as it always has been, and (2) we continue to put in special top-up money for new textbooks to reflect the fact that the new curriculum does require additional resources.

Mr McGuinty: The facts here are beyond dispute, Madam Minister. You've found \$500 million in education dollars for private schools but you've cut the textbook funding for public schools in half.

Your MPP for the area, Marcel Beaubien, made this observation in the Sarnia Observer:

"How many books do you need?" asked Beaubien, who suggested the board is spending the money on other things.

"A \$6,400 grant the province provides for each student in the public school system is more than enough," he said.

"I'm telling you it is properly funded. How do I know that? Because Christian schools ... do it for less than \$4,000 a student. And the kids coming out of there aren't dummies."

Madam Minister, I'm just wondering now, is this your new ideal? Do you think we should be funding students in the public system, all students in the public system, understanding that the public system must accept all

students including those with special learning needs—are you telling us that you should now be funding public schools at the level of \$4,000? Is that what you're telling us?

Hon Mrs Ecker: First of all, if the honourable member would like to put facts on the table, he should try using some. It might be helpful in the debate today.

Secondly, some school boards have chosen—as a matter of fact, some have reported publicly to their communities that they have chosen—to use money directed for textbooks for other classroom priorities. That is a decision those trustees have chosen to make.

Thirdly, we have provided resources as part of the regular foundation grants for curriculum learning materials and as part of new top-up money we have given every year for textbooks and learning materials.

But the other thing that is also important for the honourable member to recognize is that some of the materials that are currently in classrooms can be used for some of the new curriculum. They haven't rewritten Hamlet since we introduced the curriculum. So there are resources for those school boards to deliver quality education.

ACADEMIC TESTING

Mr John O'Toole (Durham): Mr Speaker, if I may: unlike the Liberal leader, I know our education minister meets regularly with the front-line people involved in education, unless it's a photo-op for him.

Minister, as you know, back in January approximately 63,000 first-semester grade 9 students wrote the province-wide math test. The rest of Ontario's grade 9 students who are enrolled in the second-semester or full-year math classes are now completing those tests. These students and their parents are anxious to see the results of their efforts for a variety of reasons. For instance, they want to see how well they have learned the new material. A concern has been expressed to me that the students have not yet received the full results. Will you please tell me when the students will learn the results of those exams?

Hon Janet Ecker (Minister of Education, Government House Leader): Thank you to my honourable colleague for mentioning the work I do in meeting with our front-line staff. Even in my own riding, when the Liberal opposition was out there playing politics, running around neighbourhoods, I was with teachers and students and parents, helping children to spell better with the wonderful Durham spelling bee. So we were out there helping kids to learn better while his folks were out there playing politics.

In the testing we do, the Education Quality and Accountability Office has been following the normal process. I would like to assure the honourable member that the exams that students have taken are being marked this summer according to the usual timelines, and those results will be available for parents and for schools this fall. It's an important source of information for students, for teachers and for parents to help children learn better.

Mr O'Toole: Thank you, Minister, for that very informative and, I might say, timely response. Parents and students look forward to seeing these fairly marked this fall.

Minister, another step you took about a week ago was to announce a new reading program to help students prepare for the grade 3 test. Could you elaborate on what sort of support you're providing for these grade 3 students to do the test?

Hon Mrs Ecker: It's really important to recognize that the goal of our education plan is to improve student achievement. We've started with the test results. The testing helps identify where there are gaps so children can learn better. The testing has certainly confirmed what we knew, that our students were not getting what they needed in order to succeed, so we've got the new curriculum. We have the testing, and there's validity to that testing. We are now requiring school boards and schools to start setting improvement targets. We've done this with the grade 3 testing for this upcoming school year.

Second, we continue to invest targeted funds for this. For example, in this upcoming school year, there is going to be almost \$100 million specifically targeted for remediation, for helping students from kindergarten to grade 3, and for helping students in the higher grades to develop better literacy skills.

1520

STEEL INDUSTRY

Mr Tony Martin (Sault Ste Marie): My question is for the Minister of Economic Development and Trade. Minister, I wrote to you in February about the circumstances confronting the steel industry in this province, telling you how difficult it was. You wrote back saying that you had talked to the federal government.

We know that in my community of Sault Ste Marie it is playing itself out very seriously and concretely. I am here today not to ask you for help but to suggest some things you could do that would bring some relief to my community as it struggles with this very serious and immediate challenge.

You could talk to your government ask them to give the hospitals the green light to go ahead and build the new facility they have on the books. You could talk to your government and ask them to work with the municipality to give them the permission they need to move on the building of the new sewage treatment plant and holding tanks. You could also come to the community and speak to the leaders of my community around the possibility of a trade adjustment fund.

Will you do some of those things to help my community?

Hon Robert W. Runciman (Minister of Economic Development and Trade): Both the Ministry of Economic Development and Trade and the Ministry of Northern Development and Mines have been in close contact with the company. We recognize the community's concerns. Both Minister Newman and I have spoken

at length with the president, Sandy Adam, from Algoma. Officials from both ministries have met with officials of the company. We are certainly trying to assist them in any way we can as well as the community.

Both ministers hope to be in the position of being able to visit the community in the near future to discuss the proposals you've mentioned here today and concerns surrounding Algoma and be of as much assistance as we possibly can in this situation.

Mr Martin: I thank you for that, Minister, but this challenge is immediate and serious. There are small businesses and industries in my community, there are working people and families who are in crises, because of the effect of the restructuring at Algoma Steel on the broader community. I am asking you, will you work with your government to encourage them to do some things that could have some immediate effect? Earlier today you talked about a consultation you're going to take around the province to look at new sectors that are emerging. I am telling you there are some sectors already existing that have served this province well that need protection. You need to be protecting jobs as well as developing new ones.

Will you come to Sault Ste Marie and talk to my community about the hospital, the sewage treatment plant and the holding tanks? Flow that money. Will you set up, with the Minister of Northern Development and Mines, because he has \$157 million still left in the northern heritage fund—

The Deputy Speaker (Mr Michael A. Brown): Thank you. The question has been asked. Minister.

Hon Mr Runciman: This government certainly is concerned. Our actions over the past number of years to try and assist in the diversification of the economy of Sault Ste Marie are very tangible evidence of our interest and concern. In the past few weeks I've also met with federal Minister Pettigrew. I have spoken with the Minister of Industry, Mr Tobin, with respect to the federal government's lack of actions in terms of the number of trade disputes and flooding the market with cheap imports.

Clearly, we are concerned. We are taking action. We are trying to assist the community in every way possible. If the member can be a little bit patient, he will see some further tangible evidence of that concern this week.

EMERGENCY SERVICES

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. Minister, your government has tried to make the emergency room crisis go away by blaming it on the flu, hiding the number of hours that hospitals are on critical care bypass and saying repeatedly that you have fixed the problem once and for all. But the problem has not gone away.

Emergency room backlogs are worse now than they have ever been in the history of this province. The number of hours that emergency rooms in the Toronto area are on critical bypass is almost 100 times greater today

than it was in 1996 when your cuts started. The problem has become 100 times worse since you became the government.

On Friday you told hospital administrators to come up with ideas to fix the problem in two weeks. They have been trying for five years to tell your government what is needed. They need more beds, they need more nurses, and they need more money.

Minister, are you finally ready to hear what they've been trying to tell you for five years?

Hon Tony Clement (Minister of Health and Long-Term Care): I can assure the honourable member that the hospitals in question have indicated quite a few things that they are working on, that we can work on together, that can be of benefit with respect to the issues you have raised so that this is a meaningful consultation. To characterize it as "Come up with all of the solutions and implement them in two weeks" is not the way I characterized it. I don't know where that characterization came from.

Secondly, the honourable member, in a rather dismissive way, mentioned our flu vaccine program, of which we're quite proud. It was one of the most successful programs in North America and it has, I think, had a meaningful impact in saving lives. So I would encourage the honourable member not to be so dismissive.

Finally, to look at one hospital in particular, the University Health Network, right in the downtown of Toronto, their capacity has increased by 33% as a result of the government of Ontario's investments in emergency rooms, which we will continue to do.

Mrs McLeod: Minister, listen to what Murray MacKenzie, the chief administrative officer of North York General, is saying. He says the system is extremely fragile, that long waits in emergency rooms will be even longer this summer.

Tom Closson, president of University Health Network, says the problem is getting worse, that they have never before seen people treated on stretchers in emergency room hallways while ambulances wait hours in hospital driveways to be able to deliver their critically ill patients.

Your parliamentary assistant says that you're going to try and solve the problem by hiring more private ambulances. Do you still not understand the problem? It doesn't matter how many ambulances you put out there when our hospitals are full. Seriously ill patients need to be admitted to hospital, and there is no room for them. It's as basic as that. That's why they're being treated in hallways; that's why they're waiting in driveways.

Minister, will you do what Dalton McGuinty has been calling for for a year and a half: stop closing emergency rooms and reopen at least 1,600 of the 2,200 beds you closed in Toronto alone?

Hon Mr Clement: The honourable member cites North York. Of course, North York General in September, 2000, opened a new \$3.1-million ER department as a result of this government's decision, so I think the citizens of North York have something very positive to say.

The honourable member, who is no longer with us, indicated, "What about St Michael's?" Well, in October of last year we announced \$4.5 million of capital funding to expand St Michael's ER capacity. Certainly the facts speak louder than the rhetoric.

The honourable member mentions the Leader of the Opposition and his plans. I can only quote the honourable member while he was aspiring for higher office when he said, "One of the things that we've got to do is this: to instill our hospital administrators with a sense of accountability to the system and not just to their own institution." I agree with that Dalton McGuinty; I don't agree with this Dalton McGuinty.

HIGHWAY 410

Mr Bill Murdoch (Bruce-Grey-Owen Sound): My question is for the Minister of Transportation.

About a year and a half ago the ministry held a meeting with my counties of Bruce and Grey and the city of Owen Sound. They had all these great drawings there, lots of nice pictures and everything about the extension north of the 410 up to 10. As I say, that was about a year and a half ago. They promised it would start going very soon, and we had about a five-year plan. Now, I hope we're not down to more of this five years; I hope we're only down to four and it's going to be done.

What happened there? There were survey stakes put up about a year and a half ago, and I've been coming back here now for a year and a half, and nothing's happened. Mr Minister, I'd like to know what's happening out there. Are we going to get this extension up to 410?

Hon Brad Clark (Minister of Transportation): I thank the member for Bruce-Grey-Owen Sound for his question. I have to state that the man is relentless in his advocacy for his constituents.

1530

On the issue of the extension of Highway 410, we've already undergone the environmental assessment process. We're now dealing with a cost-sharing partnership which is agreed upon with the region of Peel, and we've undertaken the extensive design work. The difficulty we now have and the reason it has slowed down somewhat is that we're now in the property acquisition phase. It has been a little bit slower than expected, but the negotiations are going well and we expect to resolve it soon.

Mr Murdoch: It's good to hear that you're still working on that, because we were getting concerned in Bruce and Grey and Owen Sound that maybe something got stalled and our money went somewhere else, and we didn't want that to happen.

OK, that's great. That will get Highway 410 to Highway 10. Then we still have a problem: we've got to get all the way up to Owen Sound on Highway 10. If you go from where Highway 410 meets Highway 10, there's quite a bottleneck there, especially right up through Orangeville and Caledon. I don't know whether you've ever gone through there, but I think probably some entre-

preneur could set up a hotdog stand at Caledon and make a lot of money, because it takes you about two hours to get through that intersection at night.

Mr Minister, what about the work from there on up? As I say, we had these nice drawings and they looked nice on paper, but that's as far as it has gone. When will we get started on Highway 10 from Highway 410 to Orangeville?

Hon Mr Clark: I thank the member for the question. The member is very well aware of the process in terms of how we actually put the highways in and get the shovels in the ground. We go through a needs assessment, we go through an environmental assessment. Then there's the design phase. That's where we're at with a number of these highways and in terms of Highway 10. Then, at that point in time, we also deal with property acquisition.

The widening of Highway 10: the plans are underway right now for that particular portion of it. I've actually met with the member, and he understands that. I'd be more than happy to meet with his mayor and the people from that community. It's important for everyone to understand that we have actually committed, over five years, \$5.3 billion for highways. When it comes to the north, since 1995 we've committed \$1.1 billion.

The Liberals keep heckling on the amount of money we've spent on highways, but in their best year they spent \$342 million.

HOSPITAL FUNDING

Mr Ernie Parsons (Prince Edward-Hastings): My question is to the Minister of Health and no home care. Minister, I have a question for you about Quinte Healthcare, an organization—

Hon Robert W. Runciman (Minister of Economic Development and Trade): On a point of order, Mr Speaker: The Chair has clearly indicated that you have to use the proper ministerial name when posing a question. That member is clearly out of order.

The Deputy Speaker (Mr Michael A. Brown): I'm sorry, I didn't hear that, but could he withdraw?

Mr Parsons: It must have been a Freudian slip, Speaker. I withdraw that. This is to the Minister of Health and Long-Term Care.

Minister, your ministry has chronically underfunded Quinte Healthcare Corp, in spite of promises made to fund it. We have seen this board of Quinte Healthcare unprepared to make the cuts to services that would have brought this so-called reward or efficiencies money. I will give you an example of the crisis that you have created in my area.

You have introduced the triage system into the hospital which requires a patient to be assessed within 15 minutes. I applaud you for that. I applaud you for taking Dalton McGuinty's idea and putting it in place in our hospitals. You have funded not one penny of it. That has required the hospital to take nearly \$1 million out of the nursing operation and use it for triage. We now have the insanity that a patient can get assessed as to their problem within 15 minutes—

The Deputy Speaker: Thank you, Minister.

Hon Tony Clement (Minister of Health and Long-Term Care): I thank the honourable member for the question. Indeed, on this side of the House we did act on Premier Harris's campaign commitment in terms of emergency room triage, as well as a minimum of 60 hours for those mothers who have given birth.

When it comes to the care at Quinte Healthcare, the honourable member mentioned our funding based on performance. It was based on a number of criteria, one of which was performance; another was on the basis of growth and another was that if we had just finished bailing you out the week before, we weren't going to bail you out a second time and double bail you out. It was a question of ensuring that the right money went to the right health centres.

I can tell the honourable member that we are currently in very meaningful discussions with Quinte Healthcare with respect to its operating budget. We will ensure that the honourable member's position is taken into account.

Mr Parsons: Minister, you didn't bail out; you provided money that should have been provided initially.

Within Quinte Healthcare Corp they have cancer care treatment. Surely nothing could be a higher priority than that. It served 4,900 patients last year, a 30% increase. Your ministry says this is not a priority program and you will provide no specific funding.

Minister, surely you need to have a plan that recognizes cancer treatment is a priority. Will you commit to properly fund the Quinte Healthcare oncology clinic?

Hon Mr Clement: Again, we are presently reviewing all the operating plans for all the hospitals, including the one in the honourable member's constituency, and we'll endeavour to do so in a fair and equitable manner. I can tell the honourable member that we also have regional cancer centres that we have been funding and building and creating at an increasing rate throughout the province of Ontario. I myself joined the Windsor members at the opening of the Windsor regional cancer centre. So these are not just my words; they are actually happening.

I can assure the honourable member's constituents that effective cancer care is a top priority of this government. That's why the budget for Cancer Care Ontario has increased by 42% and that's why we have been funding, at a record amount, hospital funding, including cancer care funding that occurs within hospitals.

TRAVEL INDUSTRY COMPENSATION FUND

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): My question is for the Minister of Consumer and Business Services. Over the weekend I read an article about a tour operator declaring bankruptcy. I realize there are protections available to people who book tours through Ontario travel agents and later have the company they were dealing with fall into financial straits. Minister, could you please inform this House what protection is available to Ontario consumers who have booked tours and later had the company unable to provide the service?

Hon Norman W. Sterling (Minister of Consumer and Business Services): Consumers in Ontario—the citizens of Ontario—are very lucky in having travel industry legislation which protects them if something should go wrong with their holiday plans. In 1997 we set up TICO, the Travel Industry Council of Ontario. TICO has taken the insurance fund, which was then about \$2 million, up to about \$15 million at the present time, to protect future travellers who would go to other parts of Ontario, other parts of Canada and other parts of the world. Last year they were fortunate; there were very few failures. What happens in this particular system is it encourages retailers and the travel industry to be responsible. They only spent \$82,000 last year.

Mr Gill: I realize that in some rare instances Ontario tourists have had to deal with the fact that a tour they had paid for was not being provided. Acting in good faith and signing an agreement, these consumers are paying for a product that isn't being provided.

Minister, could you tell us what TICO has in place to help Ontario consumers deal with these rare occurrences?

Hon Mr Sterling: I think we should make it clear that anybody who phones a travel agent who is registered here in Ontario gets the protection. In fact, I have heard anecdotally of people calling in from states like New York, Michigan or Ohio and booking their trips here in Ontario to ensure that they had this travel insurance.

Payments are given to any single traveller up to an amount of \$3,500, and the insurance fund will pay up to \$5 million for any one event that should occur in terms of getting people back from a far destination, in terms of their accommodation and those kinds of things. The compensation fund, as I mentioned earlier, has grown significantly. Therefore it requires that the partners pay less and less into this compensation. It has been a great—

The Deputy Speaker (Mr Michael A. Brown): Thank you. New question.

EMERGENCY SERVICES

Ms Frances Lankin (Beaches-East York): My question is to the Minister of Health. I want to return to the issue of emergency rooms. Minister, in the members' gallery here there are a number of men and women from Toronto's emergency medical services. I want to ask you to come across the floor after question period and speak to them. I want you to hear at first hand what it's like sitting for hours in the driveways of emergency rooms waiting to take your patient in, what it's like to be transporting persons from one side of University Avenue to the other and having that patient die of a heart attack. I want you to tell them why you won't listen when all the experts are telling you that we need to fund more home care to keep seniors out of the hospital beds so that those beds are freed up for the patients they carry to the emergency rooms.

Minister, will you at the end of question period come across and speak with these men and women, the experts in the field, and hear what they have to say?

1540

Hon Tony Clement (Minister of Health and Long-Term Care): I regret to inform the member that I have a very important meeting with Canadian Blood Services, which I am hesitant to cancel, but I would undertake to meet with the individuals at a later time.

I can tell the honourable member that indeed we have been funding home care to a much more accelerated extent than the previous government. We have been funding long-term-care facility creation so we can move patients out of the acute care wings of hospitals into more appropriate long-term-care facilities. We have increased funding for our hospitals to \$8.5 billion, the largest amount of funding in the history of Ontario. So we are doing the things she mentions. It's also incumbent upon all of those institutions to ensure that the money goes toward patient care, that it goes forward accountably, and we have to work with them in that regard as well. If the honourable member has any suggestions in that regard, I would certainly take them under advisement.

Ms Lankin: What I would suggest is that the cuts that are being implemented in Toronto to home care as we speak, Minister, be halted immediately; that you give a direction to the CCACs to stop the cuts in hours and stop the elimination of hours, because those elderly citizens are going to end up in the backs of the ambulances that these dedicated men and women use to transport them and treat them on transport to our emergency rooms. When they arrive in the emergency rooms, they're going to be left in the driveways and then in the hallways, without access to the treatment they need.

If you immediately stop the cuts in services, I can guarantee you that you will not worsen the problem, you will not create more of a backlog, which those cuts will in fact do, Minister. All through this, you have debated and said that you've put more money in. I'm telling you that the cuts that are happening today are going to make a worsening of the backlog. Will you stop those cuts?

Hon Mr Clement: It comes as no surprise to the member that I would disagree with her characterization. In fact, the cuts she mentions are fictitious. If you look at 1994-95 fiscal year, we funded \$111 million to Toronto for home care. This year it's \$238 million. That hardly qualifies as a cut. Included in our increased expenditures was \$550 million to enhance community health services, including an extra \$64 million this year. That's a \$64-million increase this year. So the honourable member is barking up the wrong tree. We would certainly continue to demand accountability and excellent management practices for home care, but our commitment cannot be doubted.

PETITIONS

HOME CARE

Mr Rick Bartolucci (Sudbury): These petitions are a part of the petition campaign which has been launched by

Bob Fera, the chair of our community care access centre and immediate past chair of the Ontario Association of Community Care Access Centres. This petition is to the Legislative Assembly of Ontario.

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control of community care access centres; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health care planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three (3) months before the commencement of this fiscal year."

Of course I affix my signature to this petition because I care about the sick, the frail and the elderly.

Ms Shelley Martel (Nickel Belt): I have a petition addressed to the Legislative Assembly of Ontario as follows:

"Whereas the Manitoulin-Sudbury Community Care Access Centre delivers vital home care services to local seniors, the disabled and those discharged from hospital so they can remain in their own homes;" and

"Whereas the Manitoulin-Sudbury Community Care Access Centre needs an additional \$1.8 million from the Ministry of Health this fiscal year just to deliver its current level of health care services; and

"Whereas the Ministry of Health has refused to fund this necessary increase and has further failed to provide the CCAC with equity funding last year and this year, despite a 1998 promise by the former Minister of Long-Term Care, Cam Jackson, to do so; and

"Whereas this deliberate underfunding by the government of the Manitoulin-Sudbury CCAC has forced the CCAC board to adopt a deficit-reduction plan which severely reduces the home care services it provides; and

"Whereas this reduction has a drastic impact on clients who cannot afford to pay for these services and will be forced to go without necessary care;

"Therefore, be it resolved that the Conservative government immediately fund the additional \$1.8 million requested by the Manitoulin-Sudbury CCAC this year, and further, provide the equity funding which was promised"—by this government—"in 1998."

Of course I agree with the petitioners. They are from my riding. I've affixed my signature to this.

EDUCATION TAX CREDIT

Mr Ernie Hardeman (Oxford): I have a petition here to the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

Thank you very much for providing me with the opportunity to present his petition today.

Mr Dave Levac (Brant): "To the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I sign my name to this petition.

Mr Peter Kormos (Niagara Centre): I've got a petition. It's addressed to the Legislative Assembly of Ontario and says:

"We the undersigned students, teachers and parents are in opposition to the Ontario Progressive Conservative's proposed Bill 45, which would see public tax dollars used to fund private schools through a system of tax credits. This bill promotes a two-tier education system with one set of schools for the wealthy and one set of schools for the less privileged; undermines the concept of a public education system equally accessible to all, regardless of social class, religion or race; encourages segregation and isolation of religious groups, therefore undermining the multicultural aspect of Ontario's education system; paves the way for future privatization of public services,

"Therefore we, the undersigned, oppose the passage of Bill 45."

It's signed by James Sandham, who collected these signatures, a bright young Crossley Secondary School student from Fonthill, and 351 others.

1550

PROTECTION OF MINORS

Ms Marilyn Mushinski (Scarborough Centre): I have a petition that's addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas children are being exposed to sexually explicit materials in many commercial establishments; and

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

I'm pleased to affix my signature to this petition.

EDUCATION TAX CREDIT

Mr Bruce Crozier (Essex): I have a petition to the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government plans to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and

deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

In support, I add my signature and deliver the petition to Meera to take to the desk.

The Deputy Speaker (Mr Michael A. Brown): Petitions?

Mr John O'Toole (Durham): To the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I'm pleased to submit this on behalf of Stan Baker, who is actually the principal of one of the independent schools in Oshawa, and other constituents of mine in the riding of Durham.

The Deputy Speaker: Petitions?

Ms Caroline Di Cocco (Sarnia-Lambton): To the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government plans to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will take money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I affix my signature to this petition.

Ms Marilyn Churley (Toronto-Danforth): I'm getting thousands of names on a petition against tax credits for private schools. It reads:

"To the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government plans to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I will gladly affix my signature to this petition.

Mr Wayne Wettlaufer (Kitchener Centre): I have a petition signed by hundreds of individuals from Dave Levac's riding of Brantford. I'm sure he's going to be very interested in this.

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

As I say, this is signed by hundreds of individuals from the riding of Brant, and I too affix my signature.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr Pat Hoy (Chatham-Kent Essex): "To the Legislative Assembly of Ontario:

"Whereas this government is planning a complete overhaul of the developmental services system, which could result in the closure of the three remaining developmentally handicapped regional centres;

"Whereas suitable quality medical, behavioural, social, emotional and spiritual services are readily available in the three remaining centres; and

"Whereas there is a distinct deficiency of services available in the private sector, including dentists, kinesiologists, psychiatrists, physicians, and emergency services;

"We, the undersigned, petition the Legislative Assembly of Ontario to ask that you recognize that the three remaining centres for developmentally handicapped individuals are providing a community for the residents that live there, and acknowledge that these centres deliver quality care and services by keeping them open and by directing private/public agencies with limited resources and services to access the resources at the centres and to work in partnership with them."

This petition is signed by a number of residents from Blenheim, Morpeth and Chatham, and I have affixed my signature to it.

ORDERS OF THE DAY

AMBULANCE SERVICES COLLECTIVE BARGAINING ACT, 2001

LOI DE 2001 SUR LA NÉGOCIATION COLLECTIVE DANS LES SERVICES D'AMBULANCE

Resuming the debate adjourned on June 7, 2001, on the motion for second reading of Bill 58, An Act to ensure the provision of essential ambulance services in the event of a strike or lock-out of ambulance workers / *Projet de loi 58, Loi visant à assurer la fourniture des services d'ambulance essentiels dans l'éventualité d'une grève ou d'un lock-out de préposés aux services d'ambulance.*

Ms Marilyn Churley (Toronto-Danforth): I guess I could say I'm pleased to have an opportunity to address this bill today. I'm pleased that the Minister of Labour is here in the Legislature to listen to my remarks, although he has by now heard the remarks from the member from Niagara, our critic in the area, and I think he has put forth some very good arguments as to why we at least need substantive public hearings on this bill. We see it very

much, as do many others in this province, as an unnecessary bill. It's a series of attacks, and this is yet again another attack by this government on the rights of workers in this province to engage in free collective bargaining. It removes the right to strike by the backdoor. That is what the government is doing here.

1600

The NDP sees no reason for doing it. It is an absolute insult to the paramedics, the ambulance workers, who have demonstrated time and time again—and I know the minister knows this—that they are committed professionals who will not and never have put people's lives in jeopardy in this province under any circumstances. Whether they've been in labour disputes or whatever else has been going on, there is absolutely no demonstrated proof in the history of Ontario since these workers have come into being that they have allowed a person to die or have been unable or unwilling to go and pick up somebody who's ill and take them to a hospital. There is absolutely no evidence of it. That is what is so alarming and so puzzling about why this bill is before us. This is a group of professional people who have never ever demonstrated at any time the need for such a bill to be brought forward.

Very recently, CUPE had a convention. I know government members expressed outrage about some of the so-called militant language coming out of that particular convention. I say that this government continues to provoke unions and workers in this province time and time again. This is an example again of the government coming forward with a bill that is unnecessary.

The minister introduced this bill on May 17, 2001. We're not talking about a very long time ago. The bill forces the bargaining units of ambulance workers, paramedics, to negotiate an essential services agreement with their employer before they can legally strike, and "if" sounds OK. If the parties fail to reach an agreement, they can apply to the OLRB to mediate or to impose an agreement. Then if an essential services agreement leaves a bargaining unit with too few non-essential workers to mount an effective strike, the union may ask the board to deem that they are all essential and refer the contract dispute to binding arbitration. This bill will effectively remove the right to strike for many workers.

The minister has said they'll have the right to arbitration. What I want to point out yet again to the minister is what a slap in the face it is to these workers, the way this bill is framed in terms of the workers' rights to fair and just arbitration, because what happens is that to get arbitration Bill 58 requires that ambulance workers go on strike first, but they can't go on strike unless they have bargained an essential services agreement, and when they do go on strike, if they want arbitration, they have to apply to the labour board for it. There's still no guarantee they will get interest arbitration. Then if the board thinks the strike has dragged on long enough, it then has several options. It can order the parties to continue negotiating a contract, confer with a mediator, order all matters to arbitration or whatever it thinks is appropriate.

This bill establishes new, heavy-handed rules for arbitration. It takes the fairness out of arbitration that has been a part of the history of this province for a very long time. These rules are only for ambulance workers, for paramedics. Other emergency service workers are not subject to them. Then if the parties can't agree on an arbitrator within seven days, the Minister of Labour will appoint one. There was a time under the Arbitration Act when all parties had the right to agree to who that arbitrator was, but in this case the Minister of Labour will appoint one. It's very possible, I suppose, that the Minister of Labour could appoint a fair arbitrator, but it takes away a right that other workers still have.

Hon Chris Stockwell (Minister of Labour): When?

Ms Churley: The minister should listen because he's asking when. I've read his bill; it's right here. That's what it does. The minister is not required to appoint a trained arbitrator, or even someone who is remotely acceptable to both parties. It could even be an employer representative. Minister, why in the world would you do something like that? The minister's decision in appointing an arbitrator cannot be challenged in court. The minister's word is law on this. That is because the courts recently blocked the government when it tried to appoint retired judges to hear arbitration for hospital workers. So they've taken care of that one.

Now, all arbitrators in Ontario are required to consider certain criteria when making an award, for example, ability of the employer to pay. However—and listen to this, Mr Speaker—under Bill 58, arbitrators will also have to consider criteria not found in any other law. If the case involves a public sector employer, the arbitrator will have to compare its labour costs with those of private operators. If the case concerns a private operator, the arbitrator will have to compare its labour costs with those of other private operators.

Now, you know what that does, and I'm sure the minister knows what does. The effect of this will steer employees to privatization and the lowest possible wages. There is a real danger here. I'd like to hear the minister say that he wants to have hearings and he wants to have amendments. If he insists on going forward with this legislation—of course, the NDP position is to scrap it. It's not necessary, it is not needed. But if he insists on going forward with this bill, we want proper hearings so that the people who are most affected have an opportunity to tell the minister and a legislative committee what their concerns are, because this is one of their major concerns and they need to be heard on it.

The bill applies to municipally based services, as well as services operated by private services on contract to upper-tier municipalities. It could apply to air ambulance services if those are privatized, and dispatch services if those are downloaded.

The bill maintains the patchwork of labour relations rules that cover ambulance and dispatch workers. Ambulance and dispatch workers in hospital-based services are not affected, because they are subject to the hospital labour disputes arbitration. So you have two different sets

of rules for people doing the same job. Several OPSEU services have agreed that contract disputes will go to voluntary interest arbitration under the Labour Relations Act, so they are not subject to the unfair Bill 58 rules either. Air ambulance, paramedics and dispatch are under the Crown Employees Collective Bargaining Act. So with the different sets of rules, there will be different standards of pay and working conditions for different paramedics doing the very same essential work, depending on their bargaining rules.

Minister, you tell me how that can possibly be fair, when you have a whole bunch of different rules set out for people doing the same work because they're under different unions?

Hon Mr Stockwell: It's always been like that.

Ms Churley: The minister is responding. He will get his two minutes. He's saying, "It's always been like that." This is an opportunity. What the minister is doing here is making things fundamentally more unfair. I would say again to the minister that this bill should be withdrawn. It is absolutely not necessary. Now, if the minister refuses to withdraw the bill, at the very least we need amendments, and I hope the minister will agree to that, to give the right to fair arbitration.

There have been amendments set forward that I believe are important. I don't know if the minister has any idea about some amendments that we'd like to put forward. These have been put forward, I believe, by OPSEU.

Number one, guarantee access to fair interest arbitration. The process should work to ensure a good contract as quickly as possible. When a union applies to the board for a declaration that there is no meaningful right to strike, the board should only have to decide if that is true. If it is, then the board should order arbitration. There should be no requirement for the board to determine if the strike has lasted long enough, nor should the board have the option of ordering the parties back to negotiations or mediation. The parties would have exhausted those options during bargaining and conciliation. That makes sense to me, Mr Speaker. I hope it does to you and I hope it does to the government members who are pushing this bill forward as quickly as possible.

1610

Another recommended amendment is fair powers of appointment. The legislated power to appoint an arbitrator for ambulance workers should be the same as for fire or police workers. Where an appointment is needed, the minister should be required to appoint a trained or experienced arbitrator. The nature of the arbitration process requires that arbitrators be impartial and independent, and the government should never, ever interfere with that. Not ever. This is something that is absolutely essential. I say again that if this bill is pushed forward, this amendment is absolutely critical.

Another suggested amendment is to require arbitrators to use the same criteria as for fire, police and health care workers. Several years ago, the government changed the criteria arbitrators have to consider when making an

award. These require arbitrators to consider factors such as the employer's ability to pay, the extent to which services may have to be reduced if taxation and funding levels are not increased, the economic situation of Ontario, the municipality in which the bargaining unit resides and others. There is absolutely no need for more criteria that apply only to ambulance workers.

I still cannot understand why the government has chosen to set forward this bill when it is so absolutely unnecessary. It doesn't make sense, and I'm not quite sure why the minister is doing it except that it seems to be another outright attack on organized labour in this province.

The ambulance workers and the paramedics have not been the ones who have been responsible for the deaths that have happened in this province recently, the deaths we've all talked about and heard about, the shocking death of a man who died of a heart attack going from hospital to hospital because of this government's policies and the lack of funding and their lack of a plan to fix the emergency services, their lack of a plan to deal with the long-term-care crisis we have right now. Indeed, what is really going on here and what the government needs to fix are those crises. I do not understand why we're standing here debating this unnecessary bill instead of debating what we should be debating, I believe as an emergency measure, and that is the crises in our hospitals and our ambulance services due to the fact that the government's policies and cuts to the CCACs are actually creating a problem in our hospitals where we do not have enough people in the hospitals to attend to real emergencies.

That, indeed, is what happened to the gentleman who unfortunately and tragically died in an ambulance. The workers, the paramedics, were taking care of that man. They were the people doing their job, trying desperately to get this very ill man admitted to a hospital, and right here, a few blocks away, he was being shuttled back and forth. That is the real issue here. That's what we should be dealing with here.

What we have while this is going on is a Minister of Health who just announced—just told all the CCACs across Ontario—that they're going to stop funding their deficits. Let me speak about that for a moment, because it is so relevant to the bill before us today. That is what we should be talking about. That is the real crisis we have in Ontario. What we should not be doing is standing here today yet again attacking the professionals who work so hard, who do their job and do it well and, in fact, are the ones who in many cases are stuck in those ambulances when they can't find a hospital to bring a patient to and are the ones in the ambulance who are keeping these people alive while they find a hospital.

That is the reality of what our ambulance workers and paramedics are doing today as we speak. So what does the government do? The government announces it's going to stop funding CCACs. That means, for instance, in my riding of East York—it's Toronto-Danforth, and part of that riding has East York in it and we have a

CCAC. What's happened over the past several years is that they've been responding to community needs. Many people are frail and elderly and need housekeeping services.

Studies have shown that when people are kept out of hospital—a very recent study from British Columbia has shown, and it's evident now, there's no argument, there's no debate about this any more—if services are provided to people with disabilities and to frail, elderly people in their homes, just a few hours in some cases, they are actually able to stay at home longer. What that means is a couple of things. It means they have the dignity of staying in their own home and the ability to be in their own community and to live independent lives, which makes them live longer and gives them the ability to have healthier lives. That's what it does.

But beyond that, it frees up beds in hospitals. That is what we should be talking about here today instead of this bill. Why are we debating a bill that we don't need? Why are we debating this bill and pushing it through when we have a crisis in our health care system and a crisis right now in the ability for those caring people out there to provide the housekeeping and home care services that keep people in their own homes and keep them healthier longer and keep them out of the hospital?

So what we have here today, I say again, and I can't say it more strongly: there's no other reason why this bill is before us today except for this government to keep on doing what it's been doing since it came to office six years ago, and that is an unrelenting attack on workers of this province.

I'm going to read a letter—I believe all MPPs got this particular letter. It's about this bill. It reads:

"Dear MPP:

"I am contacting you on behalf of the Ontario Paramedic Association. Bill 58, Ambulance Services Collective Bargaining Act 2001, as it stands now, is of great concern to the paramedics of Ontario. As professionals and patient advocates, we see the need for the government's move to make paramedics an 'essential service.' It will ensure that the public's safety is always protected. However, the bill as it is currently written falls far short of providing the paramedics of this province with a fair and equitable system of binding arbitration to adequately compensate for taking away our right to strike.

"We would like to request that Bill 58 be sent to a committee and public hearings, to afford our profession the opportunity, which we have not yet had, for some consultation on the issue. We have suggestions for amendments to the bill, which would basically include the recognition of our profession with an arbitration system similar to other 'essential services' in this province such as police, firefighters, nurses and other health care workers.

"Presently, Bill 58 will clearly put Ontario paramedics at an extreme and unfair disadvantage in the collective bargaining process. We ask, out of respect for our profession and the 'essential services' that we provide, that you take the time to consult with us, listen to our

specific amendments, and provide a more equitable and balanced bill for paramedics."

This bill, in my opinion, shouldn't even be before us. But at the very least I would ask the minister to confirm that he will have public hearings and consult with the people this bill will affect.

The Deputy Speaker (Mr Michael A. Brown): Comments and questions?

Hon Brad Clark (Minister of Transportation): It's a wonderful opportunity that I have right now to respond to the member from across the way. I was one of the co-chairs on the land ambulance implementation steering task force, which dealt with a number of issues, one of which was the funding formula, which we ironed out over a four-week period, that the municipalities and the province agreed to on a 50-50 cost-sharing basis for a number of fees and services that were not originally covered.

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Next we had to deal with this very issue of essential service agreements. The LAISC committee, overwhelmingly from the municipalities, was concerned that there was no essential service agreement. They were concerned they didn't have the same position that was there previously when the province was involved in ambulance, before the transfer. So they asked us—more importantly, I would argue, they were pleading with us—to provide for essential service agreements. They were consistently asking the Minister of Labour and myself at the time. That's why this bill is here.

I hear the hyperbole and I hear the concerns that come from the member across the way, but she doesn't point to the facts in terms of actually where everything is now with land ambulance. Her entire caucus stated that this was a drive to privatize ambulances; the reality is that the majority of ambulances were privatized beforehand. Hamilton, for example, was private ambulance; now it's under the city. Right across the province we've gone from private ambulances to municipally run ambulances. They don't mention that. They just keep talking about this as a drive to privatize, one more wedge issue.

Quite clearly the government has acted reasonably, rationally, with a pragmatic approach, to bring forth a solution that the municipalities were asking for in order to provide clear and concise safe, efficient ambulance services for the province of Ontario.

Ms Caroline Di Cocco (Sarnia-Lambton): I'm really pleased to rise for my short duration here to speak on this bill. It's one that appears to me as a make-work bill for the Minister of Labour, because the bill does neither of two things. It neither declares paramedics an essential service, nor does it really provide or, if you want to call it, maintain their right to strike. It really does neither. It brings about this very complex, kind of made-for-one-group bill that does neither. I don't believe it does justice to the professionals who have to work under these circumstances. If you take a look, if you're listening to what they have to say, and if you're also listening and if you're protecting public safety and if you intrinsically believe

that paramedics are an essential service, then why not do the simple thing and just declare them an essential service? Why go through this convoluted, very complex bill that does nothing?

Again, I speak to this bill because I believe the government has systematically eroded the morale of every sector in this province by conducting themselves in this fashion. They don't listen to the people who have to provide the service. They're fixing what isn't broken. They're certainly not making it better. So I don't understand why we've got this bill here that we're debating this evening.

Hon Mr Stockwell: Let me just help the member for Sarnia. It's pretty simple: we don't want paramedics to go out on strike. That's why we're fixing the bill. She doesn't understand. That's a pretty short synopsis; I'm sure you understand that. If they go on strike and the paramedic doesn't show up at the house should somebody be having a heart attack and they die—see, it's not complicated.

To the member for Riverdale, it's breathtaking how little you know. It's unbelievable that you could stand in your place and argue that this is some kind of attack on the working person in Toronto with respect to the paramedics. You were on city of Toronto council. Didn't you—

Interruption.

The Acting Speaker (Mr Bert Johnson): I'll ask the visitor to leave. There's no responses allowed. Order.

The Minister of Labour has about a minute left.

Interjection.

Hon Mr Stockwell: Thank you, Mr Speaker. As I was trying to get into, the member for Sarnia says—I don't think she understands the bill. Right now, under the present circumstances, the member for Sarnia, before you start yapping again, a paramedic can strike. If a paramedic goes on strike, someone has a heart attack, they die.

Interjection.

Hon Mr Stockwell: I don't know, am I being heckled? I think I am.

As far as I understand, that's why we're passing the bill for essential service. The member for Riverdale, you keep going. You didn't understand the bill. That's the bill; pretty simple. If you want them to go on strike and for people to die, let that be your position.

To the member for Riverdale, Toronto is the city that has had this exact formula for 35 years. So when you were in office, why didn't you change it? They had an essential services agreement with the council; they had a meaningful right to strike; outside workers would go on strike; whatever they collectively negotiated, the paramedics would get. The union agreed to it. That was their idea of the way that they system should work.

We're just insinuating it into law. So you stand here with this hyperbole and rhetoric, without an ounce of fact or credibility. You just play to the crowd. You were on Toronto council. Why didn't you change it when you were there? You could have. You didn't, because it

worked fine. The only reason you're opposing it is because we're putting it forward. What an opposition.

Mr David Caplan (Don Valley East): I want to congratulate the member for Toronto-Danforth for her comments. I think she brought a great deal of sense to this debate.

You know, it's been very interesting to hear members of the government try to defend the proposal, "We're going to create essential service for one sector, but we're not going to give them the full right to arbitration." That's essentially what they're saying. They're looking for a backdoor way to deny paramedics their rights.

We believe that they are an essential service. I know the paramedics believe that they're an essential service. They're as essential as nurses, as firefighters, as police officers. We cannot allow them to go on strike and put the lives of people in jeopardy; they perform that valuable a service. But if you're going to designate a group of workers as essential, you have to give them the right to go to arbitration. That's what essential service is all about.

This is a backdoor way—

Hon Mr Stockwell: Then why did you do it?

Mr Caplan: I say to the Minister of Labour, you can caterwaul all you want, you can talk about "that was then, this is now," but the reason that it was never this way before, and I can tell you this, is because it was under provincial jurisdiction and the province could always legislate back-to-work. You should know that very well.

Of course, the reason it has been thrown off on to municipalities is because the Harris government has decided to download services and to download the costs on to municipalities. That's clear. Whether it's public health or land ambulance, whether it's housing or transportation, you've downloaded it. They don't have the tools to deal with it, so now you're going to come in and say, "We're going to go a backdoor way to creating essential service, but we're going to take away and we're not going to provide people with the rights that they have, or ought to have, of a fair and binding arbitration process."

It's not unusual to have members of the government say one thing and do another. Back in 1993, this particular Minister of Labour supported the social contract. He voted for it. He spoke in favour of it. So it's not unusual to see him changing his position—

The Acting Speaker: The member's time has expired.

Hon Mr Stockwell: On a point of order, Speaker: I want to tell him, on second and third reading I voted against the social contract. Maybe Mr Caplan can get his head around that.

The Acting Speaker: That is not a point of order.

Mr Caplan: On a point of order, Speaker: I've got the vote right here. You voted for it, sir.

The Acting Speaker: That is not a point of order. I remind the member for Don Valley East that, had I recognized him, that would not have been a point of order either.

Interjections.

The Acting Speaker: I'd like to warn the member for Don Valley East, the minister and the Solicitor General that we can't have this talking back and forth.

Interjections.

The Acting Speaker: Maybe I could have the attention of the member for—the Minister of Labour, I don't want to have to do without—

Hon Mr Stockwell: On a point of order, Mr Speaker: I keep on being heckled. It goes on all day.

1630

The Acting Speaker: No. I wanted to remind the member for Don Valley East that I don't intend to stand up here all afternoon and warn people. I wanted to also make that very clear to the Minister of Labour and to the Solicitor General.

The Chair recognizes the member for Toronto-Danforth. Two minutes to respond.

Ms Churley: The outrage expressed by the paramedics here should make the minister stop and think for a moment that there may be something wrong with this bill before us today. I think the minister knows that when there is legislation before this House that I think is good or even halfway good legislation, I will support it. In fact, I spoke in this House the other night about the brown-fields legislation. With some amendments we can turn that into good legislation. But the minister doesn't seem to understand that what he is doing with this bill and why the paramedics are so outraged is that he is denying them the right to strike and he's denying them a fair arbitration process at the same time. That is what's wrong with this bill.

Let me point out again that I don't quite know what the Minister of Labour was referring to when he talked about—I think he was trying to blame the death of the man who died of a heart attack on ambulance workers. I hope that's not what he said.

Hon Mr Stockwell: I didn't say that.

Ms Churley: OK, if he didn't say that, that's fine, because I thought that's what he said. But let me point out again to all of you that not one time in the history of this province, as I said in my earlier speech, has a paramedic or an ambulance worker caused the death of any person—I defy you to find that evidence—or refused to get somebody to a hospital who needs to go to a hospital. That is the fact, Minister.

So I come back again to what this legislation is all about and why you are basically repealing the Arbitration Act as we know it. You are trying to relieve pressures on the municipal sector, which you've downloaded on to the point where you're afraid that a fair arbitrator may grant too big an increase that municipalities can't handle. That's what's really going on here, Minister, and we know it.

The Acting Speaker: Further debate?

Mr John Hastings (Etobicoke North): I'm thrilled to be able to follow the member for Toronto-Danforth, and the member for Sarnia, who doesn't seem to think there's any rationale behind Bill 58. Let me quote from the

StarPhoenix, a paper in Saskatchewan, which I think is run by the NDP government. This was two days ago, the second day of the province-wide health care strike out there. The lady I'm quoting is described as sitting in a wheelchair outside the Wascana Rehabilitation Centre in Regina. Lynne Rieben wondered about her next meal. Rieben, who has lived at the centre for more than four years, said she normally eats in the cafeteria, but with the strike on it was closed to residents.

"'I'll have to see for supper what they send up on the belt line,' she said. Rieben also said many of the patients missed their weekly bath.

"'We only get a bath once a week and unless you have a family member,' come in, 'bathing has been put on hold.'"

Guess what has happened since last Thursday in the province of Saskatchewan. Under the right to strike—

Interjection.

The Acting Speaker: The Chair recognizes the member for Don Valley East on a point of order.

Mr Caplan: I think there should be a quorum to listen to the member. Could you please tell me if one is present.

The Acting Speaker: Would you check and see if there's a quorum present.

Clerk Assistant (Ms Deborah Deller): A quorum is present, Speaker.

The Acting Speaker: Thank you. The Chair recognizes the member for Etobicoke North.

Mr Hastings: It's a good thing Liberals can count occasionally.

Anyway, to get back to the rationale of Bill 58, why would one present, as I have, an actual situation from a hospital, the Wascana Rehabilitation Centre? Why do members opposite talk about the non-essentiality of Bill 58? "If you just ignored it, everything would be fine." It's the usual mantra across the way. They pretend that they have read the legislation, but when you start listening and reading the comments of the member for Thunder Bay-Atikokan, of the member for Hastings-Frontenac-Lennox and Addington, I start to wonder, what bill were they reading? There is no doubt that if you look at the provisions in Bill 58, what the government is attempting to do is to formalize a form of fundamental fairness in terms of all the plethora of situations across the province of Ontario.

Before we arrived here, you had, and still do, a number of situations where 26 of the ambulance service providers in Ontario had the right to strike, 32 services operated by the hospital sector had no right to strike and 30 services operated by crown agencies had a conditional right to strike. So you had a whole series of situations.

What Bill 58 sets out to accomplish is to create a flexible balance in those situations and also to ensure that we don't have what is going on in the province of Saskatchewan: a wide open, province-wide strike by health care workers of all types. Is that what the folks across the way are advocating? Surely not.

It would appear that they want to have the protection of public safety—they certainly don't want at their door-

step any particular individual having a cardiac arrest when they arrive at an outpatient or an emergency room of a hospital—but they're very strong in espousing the right to strike. So my question is, especially for members of the New Democratic Party, the old socialists, would they prefer to have today in Ontario what they are experiencing in Saskatchewan—we've never heard that from them—and all the potentially tragic consequences that can arise in that kind of a situation?

They weren't able to come to an agreement. They're in day three. Tomorrow they will be in day four. Neither party to these negotiations seems, according to the most recent media reports, to be able to settle on a conciliator to get going on all the issues.

So I think one of the key things we have to look at in Ontario, which has a population that's at least 12 times the size of Saskatchewan, with all the great beauty that province has and how inherently valuable it is in Confederation, is that you have wide ranges of geography in the northwest down to the more concentrated urban areas of the greater Toronto region, London, Ottawa, Windsor. I couldn't begin to contemplate, to imagine, if what Saskatchewan is experiencing was going on in Ontario today. I could just hear the phones ringing off the wall to members opposite, demanding that they come and support the government of the day to prevent a continuation of a strike which could lead to potentially adverse, almost catastrophic consequences. That has not happened, thank goodness, in the province of Saskatchewan.

But what these folks across the way are advocating is, give them the right to strike, almost an untethered right to strike, and they won't strike. Well, if I were a paramedic or an ambulance worker and I had an untethered right to strike and I wasn't satisfied with what the parties in the negotiation on management side were offering, guess what? I'd vote to strike. That's the right of any member in a unit under a collective bargaining agreement. I'd be within my rights to do so.

So I think what has to be realized is that the fundamental rationale for Bill 58 is to create a situation which prevents what is occurring in Saskatchewan at the present time, yet on the other hand provides, after you have set out an essential services agreement, the right in some circumstances for workers to go on strike, but not until you have an essential services agreement in place.

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Not having lived in Saskatchewan and not having been able to find—I don't understand but it would seem to me, and I may be wrong on this point, that there does not appear to be in the present strike circumstances in Saskatchewan any kind of an essential services agreement in place between the paramedics or the ambulance workers and the respective hospitals, rehabilitation centres and other types of facilities that are expected to take in those cases of emergencies.

What we have set out in Bill 58 is not only a flexible balance to protect against that set of circumstances arising, the one the member for Toronto-Danforth alluded to across the way and tried to create the impression that

somehow or other paramedics were responsible for those unfortunate deaths on University Avenue. Let's set it on the record. Never once would anybody in this government make that kind of point about paramedics. It is, to say the least, irresponsible, if not downright deceptive.

Ms Churley: On a point of order, Mr Speaker: I don't know if you heard, but the member just accused me of being deceptive in the Legislature and I want him to withdraw that.

The Acting Speaker: I would ask the member to withdraw and try to phrase—

Mr Hastings: I withdraw that, Speaker. I'll substitute the words "despicable" or "bizarre." I think those two words are quite adequate to describe this situation, and I will not withdraw—

Ms Churley: On a point of order, Mr Speaker: I would say that coming from that member, to be called "despicable" is an honour.

The Acting Speaker: That is not a point of order. The Chair recognizes the member for Etobicoke North.

Mr Hastings: Thank you very much, Speaker. It's fine to make those kinds of statements. I've more than seen them occur with other members in other so-called debates in this House.

Let's lay it on the line that there is no doubt that this bill does not in any way, shape or form—you can stand there and bay at the moon or call the cows blue until they come home or fly across the moon, but if you look at the clauses in the legislation, it's pretty clear what is set out in Bill 58. If you want to read it, it certainly doesn't say anything in the preamble, and if you go to the clauses, it doesn't say, for example, as the old socialist across the way would maintain, something like, "The government intends to attack workers through this process." That's the kind of language they use.

What it does say in the preamble, and I'll quote, is, "The bill ... provides for the employer to be able to call additional ambulance workers in to work for a temporary period for unanticipated emergencies"—for a temporary period of time—"that arise during a strike or lockout." Strange. We're told by members across the way that this is an attack on workers to undermine the right to strike, to prevent a lockout, that kind of situation, when in point of fact the reality's completely the reverse.

When the member for Toronto-Danforth stands in her place and maintains that this is an attack on workers in terms of the way in which you would have a conciliation, mediation, arbitration process arrived at, again let me remind the member that if you go just to the notes—but you can go to the sections, to substantiate the description that's set out in Bill 58 or any other bill for that matter—this deals primarily with the role of the Ontario Labour Relations Board.

"Either party could apply to the board for a declaration that the agreement would deprive employees of a meaningful right to strike or the employer of a meaningful right to lock employees out. In such a declaration, the board"—that is the Ontario Labour Relations Board—"could order various remedies, including amending the

agreement, appointing a mediator, and referring the dispute to final and binding interest arbitration."

That's what the bill establishes, and if you look at the sections dealing with that, it's clearly established, it's clearly set out. How is that an attack on workers? It's astounding to hear the stuff across the way regarding the misconceptions set out by people who ought to know better, particularly the member for Toronto-Danforth, who served with distinction on Toronto council for so many years, where they had an essential services agreement in which there was a whole set of understandings arrived at by Metro council that if other members of CUPE got a bargaining increase in salary and benefits, those paramedics and ambulance workers got the same. Was that an attack on workers? If it was, it's a strange kind of target you would think about.

I think the folks across the way need to go back and reread this legislation, because what it's trying to do is to find a meaningful way in which you have set out a menu of choices and recognize the circumstances that can arise when you have bargaining disputes between management, whether they be hospitals, rehabilitation centres or municipalities, and their respective unions, in this case OPSEU. It's a clear recognition that Ontario isn't one big box where everybody's the same. It's trying to be adaptive to the different circumstances across the province, and it has a history and a tradition based on that. That's what has been attempted by the Minister of Labour and this government in dealing with this issue.

If the response and alternative across the way is that we don't even need this legislation, then I'd like to hear for once, one time, from the members across the way, are they advocating a complete situation like we have in Saskatchewan?

Finally, I want to make some comments based on my limited observations both municipally and provincially about long-term care in this province and about the whole emergency room situation in hospitals. Prior to 1995, as far as I can see, sitting on the old city of Etobicoke council, we did not see much in the way of substantial monies—when I say "substantial," we're talking about millions of dollars—for any kind of long-term-care assistance to families, the disabled and seniors, in the west end.

If you look at the fiscal record, the financials, of the Ministry of Health between 1992 and 1995, if there was any money for long-term care, where would you find it expended? Primarily in the old city of Toronto. The suburbs were abandoned. In fact, to this day I'm still trying to fight for some \$850,000 that should have been allocated to Etobicoke. I don't want to be too parochial about it. That money, allocated to Etobicoke, ended up in the old city of Toronto. No wonder sometimes you'd think people in the west end or the east end or the north or the south have not been treated equitably and amicably in these issues. You could pretty well say that the New Democrats didn't have any kind of formalized care in place prior to 1995. Even if you look at some of the imperfections of the community care access centres, at

least we have a framework in place to try to alleviate some of the problems that have built up in the hospitals.

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Our friends in the official opposition, the “liberals,” have constantly advocated reopening hospital beds: “You should never have actually closed one hospital or one hospital bed. Everything was essential.”

Interjection.

Mr Hastings: But guess what? They did. Not only that, I’ve seldom heard—in fact, I can’t recall once in this place where the leader of the official opposition got up and joined the Premier or any of us, even the members of the third party, and said, “The federal government wants to be a major player in health care in this country.” It wants to sort of manage and regulate all the standards under the Canada Health Act. But when it comes to the money, “Forget it. You ain’t gonna see it, because you don’t need the money. Eleven cents out of every dollar is fine. That’s all we need to pay up.”

If you go back to the old days of the establishment of the Canada Health Act, guess what? Ontario got nearly 50 cents on the dollar. But do we hear anything from our folks across the way about this? Not a word, although we’ve heard the present health minister advocate new programming in pharmacare and in long-term care. But I have never been at a long-term-care opening. There’s going to be one in my riding soon where the federal government contributed a penny.

There is no doubt that when you look at Bill 58, it reflects different geographic circumstances. It tries to value and reflect and respect the right of essential workers—paramedics, ambulance people—under this bill. If you don’t read the bill, then you haven’t done your homework and you should talk about what alternatives you have, rather than what you would probably imply but you won’t say openly is happening today in Saskatchewan.

The Acting Speaker: Comments and questions?

Mr Bruce Crozier (Essex): Some day, on that last issue, I’d like to discuss with the member for Etobicoke North about tax credits that have been received from the federal government, as opposed to specific transfers. We’ll get to that another day.

I’d like to point out a couple of comments from a letter I received today which relate to this particular bill, strangely enough. It’s over the signature of Roberta Scott, of the Ontario Paramedic Association. She points out in this bill, knowing full well that the government will use its majority to move it on, “We would like to request that Bill 58 be sent to a committee and public hearings to afford our profession the opportunity, which we have not yet had, for some consultation on the issue.” It surprises me that this government hasn’t had any consultation with the paramedic association. If they have, I’m sure the minister will clear that up.

This letter also says, “As professionals and patient advocates, we see the need for governments to move to make paramedics an essential service.... The bill should become one that formally recognizes and declares para-

medics as an essential service, while providing them with an acceptable system of binding arbitration.”

I can’t think of anything simpler. What they’re really asking in this letter from the Ontario Paramedic Association is, I believe, that they be treated the same as police, nurses and other health care professionals: just treat them exactly the same; give them the same rights under the auspices of being an essential service.

Ms Churley: The government’s rationale for this bill doesn’t hold water, no matter how the member for Etobicoke North twists and turns trying to justify it. It just doesn’t. Let me tell him the facts here.

The fact is that CUPE members, OPSEU members and SEIU members who work as paramedics at paramedic services across the province have always historically demonstrated that they can and have—they do—reach essential service agreements through free collective bargaining. There’s nobody who can prove otherwise. That is a fact.

What this bill does is deny the right to strike and also deny the right to fair arbitration. They are denied the same rights as other emergency personnel. That is a point that they repeatedly try to make. We were hoping the minister would hold public hearings so that they have an opportunity to make that very clear. I wish the member for Etobicoke North would listen to what the workers who are most affected have to say, if he doesn’t want to listen to me; he clearly doesn’t.

Let’s once again get to the bottom of what this bill is all about. At a time when there is more and more pressure on municipalities after all of the downloading, particularly in this case the downloading across the province of ambulance services, and the costs are now directly on those municipalities, what this bill does is give them some kind of assurance that an arbitrator won’t step in and order pay increases that the municipalities may not be able to afford. That, my friends, when it comes right down to it—because I’ve been trying to find a way to see clear the justification for this bill, besides being an attack on workers, and I don’t understand why they’d want to attack ambulance workers—is what this bill is all about. That’s what’s disgusting and despicable.

The Acting Speaker: Comments and questions.

Hon Mr Stockwell: Again the member for Danforth doesn’t know what she’s talking about. She doesn’t know what she’s talking about.

Ms Churley: I do.

Hon Mr Stockwell: No, you don’t. You’re talking about downloading. We pay 50 cents of every ambulance dollar in Toronto now. Under your government, you paid nothing, not a cent. Furthermore, they had an essential services agreement in Toronto. Why didn’t you declare them an essential service and force their binding arbitration? You didn’t. You said they could have an essential services agreement. They’d have a meaningful right to strike, like this bill says. What that means is that the paramedics stay in if there’s a strike; outside workers go out. What they collectively bargain will be given to the paramedics. Why didn’t you change it when you were in

government? To the Libs, why didn't you change it when you were in government? This simply puts it into place. This puts the situation clearly into place.

Ms Churley: I'm talking across the province, Chris.

Hon Mr Stockwell: Member for Danforth, Toronto has been operating under this exact scenario for 35 years, exactly this scenario: an essential services agreement with the Toronto council, they can't strike and they're part of the outside workers' negotiating committee. Outside workers go on strike; they go to work. What the outside workers settle for is given to the paramedics—exactly what's in the bill.

Ms Churley: It's not.

Hon Mr Stockwell: What are you saying, it's not? Then get up, for God's sake, and tell me how different it was for the 35 years. I was there. I was on council. That's how we negotiated. That means the only reason you oppose this bill is because we introduced it, no other reason. You just say no because you can't think. You can't say, "This was how it was. They're just ratifying the way it always was. Why don't we go along with it and debate something meaningful?" Do you know why we don't debate anything meaningful? Because you tie us up in this stuff, which you agree with.

The Acting Speaker: The member's time has expired. Comments and questions.

Mr James J. Bradley (St Catharines): I'm worried about the health of the Minister of Labour after that outburst. I think we all have some sympathy because—

Mr Caplan: I hope you don't need a paramedic.

Mr Bradley: I like that line. I hope we don't need a paramedic after that speech, because the minister is exercising himself.

Let me just say to the member that I think this is a bill which should offer either one or the other. Either you offer the right to strike, which is unfettered—the government says that can't be because we have people's lives and their health in jeopardy. So I understand that. But if you're going to take away the person's right to strike, it seems to me then you have to give them appropriate arbitration. That's what's not in this.

You do that with the fire department; people agree with that. You do that with police; people agree with that. It makes a good deal of sense. These people are essential in the service they provide. I think most people agree with that in terms of health care workers. Nurses are essential. So what happens is, if you're going to take away a pretty fundamental right, the right to strike, then you have to give them appropriate arbitration. I think that's what would make sense. I would be supportive of the government if indeed it were doing that.

1700

I know you can say that others didn't. I heard the Premier say in this House more than once, "We're not the government; we're here to fix government." So I challenge the Minister of Labour—I'm sorry, to the member for Etobicoke North, that I tend to be directing my remarks more to his seatmate—if you're here to fix government, you have the opportunity to fix this particular situation, now that the ambulance situation has changed

significantly in Ontario now that municipalities have responsibilities for it. I hope the minister will accept the amendments that have been proposed by the people who are the ambulance workers. They have given them to each member of the Legislature. I'd be pleased to see the minister accept those amendments.

The Acting Speaker: The member for Etobicoke North has two minutes to respond.

Mr Hastings: I'd like to thank the members for Essex, St Catharines, Etobicoke Centre and, to a lesser extent, unfortunately, Toronto-Danforth, because I don't think she has read this bill. I don't think she understands what's going on here. She says I don't understand what's going on here. I've read the bill. I went back over it again. I refer to the notes at the introduction. It talks about where you could have potential strikes or lockouts in these circumstances. There is an array and a menu of choices that can be undertaken: conciliation, mediation, interest-range arbitration, final-offer selection. To me, that pretty well encapsulates all the methodologies we have in collective bargaining today.

She then turns around and says that any of these things is an attack on workers. That means that existing collective bargaining agreements in place where you had negotiations, where you had arbitration, where you had mediation, where you had final-offer selection—guess what? They'd all be, under her interpretation of Bill 58, direct attacks on workers. It doesn't make any sense.

We didn't hear, as I issued the challenge—perhaps we'll get it from the member for Don Valley East or the member for Sarnia—would they advocate what is occurring in the province of Saskatchewan, where you do have an unfettered right to strike, where you do have 14,000 workers out right now? It's going to be a dickens of a problem in that particular province if they don't get this thing settled with their plethora of methodologies in settling strikes.

The Acting Speaker: Further debate?

Mr Ernie Parsons (Prince Edward-Hastings): Back in high school, I read a book called 1984, which I found kind of interesting, but I thought it was so unbelievable that it would never, ever take place in our society. If George Orwell were alive right now, he would be suing the drafters of so many bills for plagiarism.

We can listen to the rhetoric on this. We can read the bill. Health care is important in Ontario, and we know from this bill that ambulance personnel are so important that they need to be essential, but they're not important enough that they really need to be there. They have the right to strike, but it has to be a strike in a manner that doesn't interfere in any way with the service to the community. They have a right to arbitration if they're unable to strike an agreement, but it must be arbitration in a manner that is different from everybody else. So they're a full part of the team except they're not really part of the team. They're essential, but they're replaceable.

There is a craziness: in the event of an accident, we have absolute assurance that a fully qualified, trained

police officer will arrive at the scene; we have the assurance that at the hospital end there will be fully qualified nurses and doctors; but we're not so assured that you'll be able to get from that accident scene to that hospital.

In a rural community, ambulance service is absolutely essential to us. We're not looking at people who drive a vehicle from the scene of the accident or from your home to the hospital; we're looking at highly skilled, highly trained individuals. In our rural areas, we're talking half an hour or an hour to get to the hospital. That individual in that ambulance team must be fully qualified.

I had a discussion with a volunteer firefighter some weeks ago who said to me that when they are called on a health issue, he always hopes and prays that the ambulance people are there first. He said, "Although we're trained, we're not anywhere near as skilled as the ambulance staff."

I need to take a moment here and give some praise to the people who work in our ambulance services. I cannot imagine what they experience at times when they come to some horrific accidents. I cannot imagine at times what they face when they come to certain homes or particularly dealing with a tragedy involving a child. This is not a job to them. Whatever they saw and experienced that day, they take home with them that evening, or perhaps for even longer.

There is no question that we have a dedicated, committed group of people in our ambulance service. In fact, we had a great ambulance service in Ontario. The situation wasn't broken. We had the assurance that no matter where you were in Ontario there was a standard of ambulance service to expect, a standard of vehicle with the right equipment in it, because the province operated, through all of rural Ontario, the ambulance service. We knew when we paid taxes they weren't disappearing into a black hole; they were paying for quality ambulance service along with quality health care and quality education, at that time.

Things have changed. Now we're seeing a desire to fragment it, and we're seeing a desire to download on to municipalities. That's what precipitates this bill. So now the quality of your ambulance service, whether you'll get to hospital in the right manner, can potentially rest with the low bidder. So, you're better off if you're going to have an accident—and heaven forbid you have one—in a municipality with a high tax base. Maybe municipalities need to post what their assessment base is so that you have some sense of what's your quality of health care when you go through it.

We're seeing all of health care under attack, and we're seeing labour under attack, whether it be union or non-unionized. We can look at this bill, and it very, very clearly doesn't deliver the absolute commitment that this service is essential. It uses the word "essential" lots of times, but we're not seeing it. We're seeing legislation that is primarily anti-labour. The working families in this province have become the enemy, and I find that dismaying. They're not essential and, in fact, it infers at replacement workers. I don't know where you find fully

qualified replacement ambulance workers. We're not looking for people to drive the vehicle; we're looking for fully trained ambulance workers. This allows it to come in.

Take and replace that with a nursing bill that would allow them to bring in just anybody to do the job, and it would scare the daylights out of us. But health care which we may primarily think of as, perhaps, hospitals, is so much more. Health care is certainly in the hospitals, but we're also talking about doctors and the acute shortage of them that we have here in Ontario, we're talking about nurses and the acute shortage that we have in Ontario, we're talking about access centres and the acute shortage we have to access centres—which seems kind of ironic—and we're even talking about the environment and the acute shortage we have of regulation enforcement in the environment. The whole picture together is somewhat scary. We're seeing a fragmentation. We're seeing a breakup of what we believed in Ontario should be our health care system, which we were so proud of.

This particular bill says that the employees must work with the employer to define how the service will be covered while they are on strike. Surely if there is a requirement that the service has to be covered, the service is in fact essential. It is ludicrous to provide this whole process when in fact we know it's essential, though there is a reason from this government as to why they're following this process, and it's money. It's money-driven and it's anti-labour-driven. I have seen some large industries go on strike in this province, and even during the strike I never once heard the president of General Motors say, "My employees don't work hard enough. We make a lousy car. They're not doing a full day's job while they're there, and they make a lousy product." I don't hear that. But I hear repeatedly that the services offered by the employees of this government are not adequate. I don't accept that. I don't accept that the teachers are not doing their jobs in Ontario.

Hon Mr Stockwell: Give me an example. When did we say that?

Mr Parsons: I don't have enough paper here to list the number of days that this government has said teachers are not doing their jobs.

1710

So we've got a so-called collective bargaining process taking place where the employees have to help designate how they will provide the service during the strike. That makes a farce of the word "strike." Obviously, if the services are going to continue, then the strike has no effect.

I can assure everyone that no one wants to go on strike. No one wants to willingly go out on the street and give up a paycheck and benefits unless they sincerely believe there are things that need to change. Those issues may be money, but it's not always money. Sometimes it's working conditions.

The working condition for an ambulance attendant is the health condition for me, if I'm riding in that vehicle

or if that vehicle is there or not there. I am dismayed to see now in the Toronto area that the expansion to the emergency rooms is parking an ambulance out in the driveway for three or four hours and seeing what treatment they can do there to keep the patient well enough to get in. I don't think that's really an expansion of the health care system at all.

There's no plan. I guess the bottom line is, there is no plan on how we're going to correct health care in Ontario—"Let's try this, let's try that." But this one strikes me too much that the first priority is, "Let's see how cheap an ambulance service we can get in Ontario." This is a race to the bottom on, "How cheap can we do it? What's the lowest possible cost that we can still have a vehicle with four wheels and a human somewhere in that vehicle to get it there?"

I haven't talked to anyone, anywhere, who wants the cheapest health care or the cheapest education system. They want there to be accountability. They want to get what they pay for, but they don't want the absolute, rock-bottom price on services. They want proper services at a reasonable cost. The emphasis in this is, "How cheap can we get the service?"

Bill 58 allows for a strike; however, for full services to be provided during that strike. However, if the union feels, having started a strike, that no meaningful strike is occurring, they can go to the Ontario Labour Relations Board—isn't that one of the boards that's going to be amalgamated into like a million other boards, so that we've got fewer boards, which I suggest would translate into fewer services provided.

The Ontario Labour Relations Board, if it's still there, can make recommendations on how the strike can be made more meaningful. There has to be a certain irony in that. The board can amend certain things: they can ask them to go back and do negotiations, they can provide for mediation. I can say, with all assurance, that the ambulance workers would have explored all those routes before they got to that point. There isn't a fire within the union movement to go out on strike—"Let's give up our salary for a week or two, or a month."

They would have striven in every way they could to ensure there was a good process in place and that there was a satisfactory negotiation. Everyone wants to satisfy it by negotiation. However, there is a possibility that the Ontario Labour Relations Board can order arbitration. Everybody knows arbitration. That's where a nice, neutral individual sits down and says, "This party or that party is right here, and we'll strike a balance between them." That's what you would think. That's what most people would expect.

Mr Bradley: That's not what it is?

Mr Parsons: No. I'm shocked when I read in the bill:

"In appointing an arbitrator or replacement arbitrator, the Minister may appoint a person who,

"(a) has no previous experience as an arbitrator."

That's how important ambulance services are to this government. There's no need to put in a qualified arbitrator to expedite the settlement. This could be like a

trainee position, "No experience. We can learn and see if we can bring this together. There's no need for experience in an arbitrator; it's only ambulances."

"(b) has not previously been or is not recognized as a person mutually acceptable to both trade unions and employers."

Would they do this with the doctors. Would they say, "Let's put a trainee arbitrator in, even though one side doesn't like it"? No. These are only ambulance people; these are only the people who get you to the hospital and save your life. It can be someone no party likes, so I suggest that probably it would be someone the employer likes.

"(c) is not a member of a class of persons which has been or is recognized as comprising individuals who are mutually acceptable to both trade unions and employers."

This is kind of, "Let's take a chance and try somebody new because it's only a semi-essential service."

"In appointing an arbitrator or replacement arbitrator, the minister may depart from any past practice concerning the appointment of arbitrators or chairs of arbitration boards...." This is kind of interesting. Even though we've found and evolved over the years things which we know work, we have proven practices—I think most things we do, whether in this Legislature, in a company or in a government ministry, have evolved with a reason; there's a sound reason why we do everything—this says, "There's no need to learn from history. We're going to write our new history."

"Selection of method: The minister shall"—not "the minister may"—"select the method of arbitration and shall advise the arbitrator of the selection." So the arbitrator's got both hands tied behind his back going in, and this is the process he's going to follow. There's probably somewhere between the lines, if we could get some of that magic fluid that shows hidden writing, that the minister will provide the final arbitration report. I'm suspicious it's there.

We can go on and on. "The method selected shall not be final offer selection without mediation." Surely if we're going to allow a mediator to resolve it, the mediator should have the freedom to do what is right. The mediator will be in the room, though maybe the minister will be there in a sense too, I guess. Although the minister may not actually be occupying a chair, the minister will be there with the arbitrator, guiding and informing them on each and every thing they can do. That is dismal.

The municipalities have problems. The government knows the municipalities will have problems funding ambulances, because the government created the problem municipalities are going to have funding them. Municipalities were not consulted about ambulance down-loading, and when they were, they said, "No, it won't work." There is a provincial responsibility to provide safe and adequate ambulance services, but the municipalities were given ambulances whether they liked it or not. That's the way the partnership works in Ontario with this government. They were ordered to take it on. Although

the province assured them that they will have adequate funding from their tax base to deliver services, the government knows they can't. Once again, we see the municipalities stuck as the bad people in between, trying to find a resolution to protect their citizens and having access to a bill they didn't ask for that could seriously hurt people in ambulance services.

What happens if the bill is bad for individuals who work in the ambulance services? Let's look at education, where, as this government has condemned hard-working teachers, has condemned schools that are delivering a fine-quality product, the number of young people going into teachers' colleges and the number of young people staying in education is decreasing. It used to be that if a teacher got a probationary contract for two years, they were in the teaching profession probably for quite some time to come. That's not happening now. Some of our brightest young people are saying, "No, the working conditions are such that this is no longer tolerable." I suggest that your making the working conditions for ambulance people bad enough won't attract ambulance people, so I guess, by definition, you have found the cost savings this bill purports to do.

What's the answer to this? The answer is to make it an essential service, exactly the same way we treat police, firefighters and nurses. We know it works, we know that with the police and the firefighters a resolution is ultimately found that satisfies everybody. Give them access to the same process. They are just as important as the other essential services. Don't play games; call them essential services. If they cannot negotiate, then give them fair arbitration—not stacked, one-sided arbitration, but fair arbitration—and allow the arbitrators to have the same access to the same criteria as for police, fire and health care workers.

Without fair arbitration, we're going to see pressure coming on to reduce the costs. We're seeing the privatization of our ambulance people. We're seeing the privatization of Ontario, quite frankly. But this particular one, when we have the private arbitrators—and we're seeing municipalities under great pressure to lower their costs or to keep their costs down—they're going to be tempted or even forced to do things similar to the community care access centres. We were told some years ago that privatization of community care access centres would produce tremendous savings, while improving the service. Well, the events of the last few weeks have told us that hasn't worked.

1720

We are seeing a race to the bottom among our community care access providers, and I thank the member for Etobicoke North for introducing the topic of access centres and comparing it to the ambulance people. The firms that are providing access centres are being forced to pay lower wages to their nurses than the hospitals pay. We're seeing them forced to not pay mileage to their staff who go out to the homes to deal with our sick and our fragile and our elderly. And we're seeing a lowering of their ability to attract qualified people to their service.

In a large urban area there may not be a lot of travel time involved in going from one client to another, but in rural Ontario, which is the majority of the province, it may require an employee for a service to have to travel for half an hour from one to the next. They're doing it on their time, and they're doing it with no compensation for mileage. And even though this government pledged with their gas-busters to wrest the cost of gas to the ground—I'm not sure how it's going, but I know in my area it's about 50% higher than last year—so I don't think we've absolutely defeated the gas prices yet. In fact, it seems to have gone off the radar. For these employees, we're seeing a great deal of loss of quality, and we're seeing the client suffer that. I don't know whether it means there's a day coming when ambulance people will have to provide their own ambulance and put their own fuel in it, because we are experiencing in this province a race to the bottom, without any respect of how we will maintain employees in the system or how we will maintain the services.

For the people in these ambulance services, their working conditions really are our health conditions, and we're seeing a fracturing of what truly was a world-class health care system in Ontario, bit by bit by bit. I'm saying maybe there wasn't planning on this, but we were told that there would be a crisis created in education, and it happened. I'm wondering if perhaps we weren't made knowledgeable as to the lecture that was given on the crisis being created in health care. But this is one more brick in the wall that is being built to impede quality health care in this province.

This is a bad bill. This is a bill that does not do justice to the dedicated individuals in the ambulance service, and therefore it does not do justice to the citizens of Ontario who rely, whose lives literally depend on, there being quality health care available from the instant that ambulance arrives at their door to the time it's at the hospital.

The Acting Speaker: The member's time has expired. Comments and questions?

Ms Churley: I am pleased to be able to respond to the comments made by the member for Prince Edward Hastings.

I want to particularly respond to his comments about the need to build in a just and equitable process for both the selection of an arbitrator and the criteria under which that arbitrator works. The government members, including the minister, who have spoken to this bill have still refused to respond to this, and it is absolutely critical that they do so, because should they insist on bringing this bill forward, which they plan to do without any public hearings and without having consulted with those who are most affected, that is an answer that we want to have.

Why is it appropriate, I ask the minister, that these hard-working, dedicated paramedics are treated differently from other emergency workers, like police or nurses or fire service workers? These workers have access to binding arbitration that is fair and just and that has a different selection process for arbitrators and a different set of criteria.

A fair and experienced arbitrator is supposed to duplicate what they would have gotten under free collective bargaining. I want to remind the labour minister and all of the government members that that is what arbitration is all about. When a service is deemed to be an essential service and they are denied the right to free collective bargaining, the process that's put in place—that is, the election of an arbitrator and then the criteria for that arbitrator—the whole purpose is that that person be elected by all and be fair and be able to give a just resolution to the issues at hand.

Hon Mr Stockwell: Just briefly, I was really disappointed with the member for Toronto-Danforth. She was going to stand up and explain how this bill was different from the way Toronto has been operating for the last 35 years. She was heckling me and saying, "Oh, yes, it's very different; it's really different. I'll get up in my next two-minute and explain how different it was." Well, Josh, you must have forgotten. I can only hope that you get another opportunity for a two-minute hit so you can explain to me how this bill is any different from the way Toronto has operated for the last 35 years. I hope you get another chance, because I'd really like to hear how it's different. I know full well it's not different and I'd like to know what your take on it would be.

As far as the member from eastern Ontario, I will say to him a couple of things. Ask yourself, why is it people want to go to arbitration? Think about it: why is it people want to go to arbitration? I sat on a local council. I know my friend from Wellington sat on a local council. I think there was a day when even the member for St Catharines sat on a local council many years ago.

You wonder. On these arbitrated settlements, the cards are truly stacked against the taxpayer. You know? The taxpayer loses on arbitrated settlements. It's better if you can have a collective bargaining agreement.

Over the last 35 years in a lot of municipalities in Ontario they've attained that collective bargaining agreement by letting people who have a meaningful right to strike, like in Toronto—they can let everyone go on strike and what they settle for will be given to paramedics. Right? They get what they actually go out for. The paramedics were happy, unions were happy, councils were happy. The taxpayers didn't lose.

But if you sat on a local council—I don't know if you did or you didn't, or if you sat on a school board, or where you came from—you learned early on that arbitrated settlements end up costing the taxpayers a lot of money. I don't know who you are representing. I'm representing the taxpayer.

Mr Bradley: I want to ask the member about some amendments he might suggest or what he thinks of these amendments. They have to be framed appropriately, but would he agree with a guaranteed access to fair interest arbitration? The board should only have the power to judge if no meaningful right to strike has occurred. If this is found true, then the board should immediately order arbitration. The other options provided in the legislation, such as further negotiations and mediation, would likely

have been exhausted during the primary conciliation process.

A second would be fair power of appointment. Where an appointment of an arbitrator is needed, the minister should be required to appoint a trained or experienced arbitrator. The nature of the arbitration process requires that arbitrators be, as he would agree, no doubt, impartial and independent. There should be no governmental interference in this.

Third, would he agree that we should require arbitrators to use the same criteria as for fire and police and health care workers, for instance? If it's good enough for them, then it would be good enough for these individuals.

Bill 58 tacks on some additional qualifications that must be dealt with by the arbitrator, so what you may see is in fact a race to the bottom, with the amount of privatization we see taking place.

I'm curious as to whether the member for Prince Edward-Hastings would agree with this. He's a reasonable person; he's had some experience; he's balanced in his approach. I would be very interested to see whether he is, frankly, interested that, because I think that could solve the problem. That would improve the bill considerably.

If the minister were in a conciliatory frame of mind, the minister then could say, "Do you know something? Those amendments seem eminently sensible. I'm going to adopt those amendments." Then I think you'd have all members of the House agreeing to this piece of legislation.

Mr Peter Kormos (Niagara Centre): The member for Toronto-Danforth has been rising all afternoon trying to explain to Tory backbenchers what's really at issue here. Please, you have to read the bill. You call it arbitration, but it's the farthest thing in the world from arbitration. What you have done is rewritten centuries of arbitration law.

One of the most fundamental observations is that the Ontario Arbitration Act does not apply to arbitration proceedings under this act. You've taken the Arbitration Act and you've tossed it out the window. You call it arbitration, but it isn't. You've seized, you've gutted arbitration in the scheme here of any sense of natural justice, any sense of equity, any sense of fairness.

1730

Look at subsection 21(5): "The arbitrator shall determine the procedure for the arbitration." You see, you don't understand that in real arbitration, the parties determine the procedure, subject to the *sacrosanct six*, Scott v. Avery and on, that are part of the Arbitration Act that cannot, even by consent, be bargained away during the course of an arbitration by the arbitrating party. You reserve the right to pick the arbitrator: hand-picked.

You see, in real arbitration, the parties to an arbitration pick the arbitrator. That's what gives the arbitration some legitimacy. You've gutted centuries of arbitration law. This isn't arbitration any more, it's as simple as that. Any fair-minded person who has any sense of what a neutral adjudication is, is aware of that. You have revoked the

right to strike, for all intents and purposes, and you similarly have not given even anything akin to real arbitration to those workers. You've gutted the Arbitration Act. You've directly attacked the right to strike. These workers will be subject to the whim of you and your municipal hacks.

The Acting Speaker: The member for Prince Edward-Hastings has two minutes to respond.

Mr Parsons: I thank the member for Toronto-Danforth and the Minister of Labour and the members for St Catharines and Niagara Centre for their comments. The problem that has caused this is that there is no amalgamation, there is no downloading anywhere that saved costs. In fact, I would suggest in many cases it has raised them. But if arbitration is so bad that it's always against the taxpayer, as suggested by the Minister of Labour, then why do we use it for the police? Why do we use it for the firefighters? Would the arbitrator just be bad to the taxpayers for ambulance people, but the arbitrator can be fair for any other group? No, of course not.

In fact, without getting into specific details, I could bring up instances where the arbitration has not produced anywhere near what the unionized groups want. I have enough faith in the individuals in this province who are appointed as arbitrators—and let's be frank: the system we're advocating for is an arbitrator who's satisfactory to both parties. The ambulance people aren't asking for an arbitrator appointed solely by them. They're asking for someone acceptable to both. History has shown that we've been able to find individuals acceptable to both parties who have in fact produced a fair settlement.

The concern the government has is not that the arbitrator be fair but that the arbitrator keep costs down by any and all means, and so the deck is stacked. It's not an open process, a fair process. If this government supports the process it does for police, if it supports the process it does for firefighters, if it supports the process it does for every other group, then what is so evil or bad about our ambulance personnel that they should not have access to the same services that everyone else does? Of course they should. This bill must be amended to provide that fairness to the wonderful people who work in that industry.

The Acting Speaker: Further debate?

Hon David Turnbull (Solicitor General): I'm very pleased to join debate on Bill 58, the Ambulance Services Collective Bargaining Act, 2001.

Mr Bradley: He's going to speak on behalf of Conrad Black.

Hon Mr Turnbull: I hear the member for St Catharines beginning to barrack about Conrad Black, one of my constituents. You seem to have this adversity to somebody who contributes a lot to this country and pays a lot of taxes, which would be typical of the Liberals. You really don't like anybody to succeed, and it shows all the time with all of your efforts. When you were the government, you certainly did everything you could to wrestle this province down to the bottom. In fairness to the NDP,

and it's not too often that I say this, the NDP took over an utter mess from the Liberals. You were the worst government that has ever been in this province. The bills came due when the NDP became the government, and they got a lot of blame for actions which your government, Mr Bradley, enacted. The bills came due when the NDP came in.

This proposed legislation will safeguard public health and safety. It's an even and balanced bill, and a balanced bill that in fact confirms the existing situation, which existed throughout almost the whole of Ontario, that ambulance workers did not have the right to strike. Why are we concerned about ambulance workers having the right to strike? It's very simple. We don't want people to die. That's a pretty basic reason.

Bill 58 creates a framework for resolving labour relations disputes. The bill would require the negotiation of an essential ambulance services agreement between the employer and the employee. Consider that in Toronto this arrangement has existed for the last 35 years, and yet here we've got opposition parties that are speaking about something that essentially was the status quo. You had an opportunity. Both the Liberals and the NDP were in power for five years. Did they do anything about it? Did they change the existing arrangement that prohibited ambulance workers from striking? No, you didn't, and the reason for that is very simple: you need to protect people from the difficulties that arise if an ambulance is not available.

It's interesting to note that, of course prior to our government coming along, in the case of Toronto, Toronto got absolutely no dollars for their ambulance service from the Liberals or the NDP. They now get 50 cents on the dollar. You juxtapose that against the situation with the federal government, which used to pay 50 cents on the dollar for health care and came down to 11 cents on the dollar. It was only by publicly chastising them on television that we ever got them back to the table, because they had to buy an election: "Let's get some silence." When fully implemented, it will go back to 14 cents on the dollar on health care that the federal government will be contributing. That's a long way from the 50 cents on the dollar that existed when the Canada Health Act came in, and it's still an awful lot less than the 17 cents on the dollar that was contributed by the federal Tories when the Mulroney government was around.

The collective bargaining agreement is clearly the best arrangement to have with any union and this bill does not prohibit any collective bargaining. It encourages it. The arrangement that existed, for example, in Toronto was that the municipal politicians bargained with the workers in the community in all the other trades that existed, and whatever agreement was reached in terms of a pay raise was passed on to the ambulance workers. That seems pretty reasonable to me, and the reason for that was that we needed to protect this service. So the agreement would have to be negotiated prior to a strike or lockout. The essential ambulance services agreements to be

negotiated must ensure public health and safety, and a withdrawal of ambulance service that would jeopardize public safety would not be possible.

The interesting thing is that during the debate this afternoon, there was discussion from the NDP member for Toronto-Danforth about how outrageous this was. She was speaking about the fact that we were continuing the practice that existed when she was a member of the governing party. She spoke against the arrangement that existed when she was a member of city council in Toronto. The fact is they always had a prohibition on striking. Both the Liberals and the NDP had an opportunity to change this arrangement, but they decided not to. Thank goodness, because we need ambulances to be available.

1740

I want to say very clearly that the good people who operate our ambulances are people I've got great respect for. They work very hard. Since I've become Solicitor General I've had an opportunity to speak to a lot of the people who operate emergency services in this province. Often they put their lives on the line and they work exceedingly hard. Our government has nothing but respect for these workers. That is very clear. The arrangements that we're proposing with this bill do not in any way diminish from that argument.

OPSEU asserts that Bill 58 will force ambulance workers to go on strike before they can apply to the OLRB for a meaningful right-to-strike declaration. That's absolutely, patently wrong. Let me say this about this bill: Bill 58 would require the employer and bargaining agent to negotiate an essential ambulance service agreement prior to being able to engage in a legal strike or lockout. At any time after the agreement is struck either party may apply to the OLRB for the declaration.

Bill 58 would not require a bargaining unit to go on strike before it could apply to the OLRB for a declaration. The word "dispute" in the proposed legislation does not mean "strike." It refers to the entire collective bargaining process from the start of negotiations to the signing of a new or renewed collective agreement. The OLRB would exercise its discretion to determine whether it had enough information to allow it to make a decision on whether there was a meaningful right to strike or lockout. This may include allowing a strike to begin or to continue, but the board would be able to make such a declaration without there being a strike or lockout. Bill 58 would not guarantee arbitration, because uncertainty of outcomes within the collective bargaining process is generally seen to promote negotiated settlements, and negotiated settlements are clearly in the best interests of taxpayers.

I see one of the Liberals nodding his head. You wouldn't understand anything in the best interests of taxpayers, because we know your record on school boards and how profligate you were. So you wouldn't understand the concept of being responsible to taxpayers.

If either party believes in advance of bargaining that they have an advantage to going to arbitration, they may

not have incentive to bargain but would rather go straight to arbitration, and that is clearly something which is to be avoided.

So this is a solid piece of legislation which will indeed protect the citizens of Ontario to make sure that a service that—let me say, if we were to go out and ask everybody in the province what they thought of it, with the exception of a few people who had a political axe to grind and a few hard-line unionists, everybody, including the ambulance workers, would say, "Yes, it makes good sense that we cannot go out on strike, because we want to support the good people of Ontario in providing this essential service."

The Acting Speaker: Comments and questions?

Mr Bradley: I go back to the point that I think the opposition has made consistently with this bill. My problem with it is that you wish to tamper with the right to strike without giving arbitration. What the ambulance workers are essentially saying is, "Look, we're prepared to be declared essential so we won't have the right to strike, but if we're going to do that, in response we would ask that the government provide the same kind of unfettered arbitration, for instance, that members of a fire department would have, or a police department or the nurses in the province."

They're not actually saying that they want to have the right to strike, because I think many of them recognize—and you paid tribute to them for the work they do—that they do provide an essential service, that when they're transporting someone from perhaps an accident scene or from a home to the hospital, or perhaps from one hospital to another hospital, there are a lot of duties they have to perform. It's not simply driving the vehicle, but it's also ministering to the ill, and sometimes their early intervention is what saves a life or perhaps prevents a worse injury or a sickness from deteriorating. In essence what they're saying is, "We understand that we're an essential service." I certainly would think today, whenever, that they are an essential service. So I would say, if you were to adopt some of the recommendations they've made for amendments to the legislation, that you would probably find even those individuals would be supportive of the legislation.

I think it's the fairness of the process they're looking at. I don't deny that the government wants to ensure that service is going to be available at a critical time, but I think it's important to have that service available on a fair basis and have a fair arbitration to go with taking away the right to strike.

Ms Churley: Both the member for Don Valley West and the Minister of Labour have been outrageously insulting to me and to ambulance workers who were here earlier today. They both said things like, "If you want them to go on strike and people to die, then let that be your position." These dedicated workers have never allowed anyone to die or go unattended in this province, even under labour disputes. Let that be on the record.

I would say to the Minister of Labour and the member for Don Valley West that when asked about, and when

they both talk about, how the city of Toronto had this same legislation or worked under this for 35 years, they are incorrect, and the Minister of Labour still doesn't get it. I have said repeatedly and I will say again, and let me say it clearly: the difference is in the arbitration process. They have had the ability, under their essential service agreements, to get fair and just arbitration. That is what I'm talking about and that is what the government members, including the Minister of Labour, still don't understand and still don't get, that that is at the heart of what we are discussing here today. The Minister of Labour is incorrect. Let me say it as mildly as I can. So let that be your answer, Minister of Labour. That is the stark difference between what went on and is going on at city council, at city hall, for the past 35 years.

Let me say that that minister had also been a member of Metro council and he should know that. He stands here today and repeatedly insults me, when he's the one who is absolutely, clearly wrong on this. I would say to the minister again, if you are going to bring in this legislation, bring in fair arbitration.

Hon Mr Stockwell: First of all, let me say off the top that suddenly this member would suggest that anyone is being unfair to anybody in this House after question period today, suggesting that this government had blood on their hands with respect to the Walkerton situation, and then they suggest that we are being unfair when we categorize her position as leaving paramedics out on strike, thereby putting lives in peril. I think that to juxtapose those two statements is hilarious, that suddenly now you're so upset about a comment that this side makes, after the absolutely unfair, scurrilous attack you made against this government during question period. I think if you're going to have a method to apply to this House, before you start applying it to this side, try applying it to yourself, and then we'll see what's in order and what isn't.

The bottom line always was the same. If the two parties want to go to arbitration, they can, and over the years they could. In this situation, if the city of Toronto wants to agree with paramedics to go to arbitration, they can.

Ms Churley: You still don't get it.

Hon Mr Stockwell: Listen. Before this bill, they could agree to go to arbitration too, or they could agree to take the collective agreement from those people who went on strike—absolutely the same; no difference. This bill does not preclude anybody going to arbitration. But the point is very clear: it must be—

Ms Churley: You are wrong.

Hon Mr Stockwell: Listen: it must be by agreement. If the paramedics want to go to arbitration and the municipality wants to go to arbitration, they can. All this bill does is put in place the same thing they've done for the last 35 years.

1750

The Acting Speaker: Your time has expired.

Mr Caplan: I was looking for the Solicitor General to give us intelligent comments about police and fire service

in this province of Ontario, both of which are deemed to be essential services and both of which fall under the Ministry of the Solicitor General. So I expected that what the Solicitor General would come here and talk about with respect to paramedics was simply that police are an essential service. They're governed by a particular process, one that's fair. Firefighters are an essential service. They're governed by a particular process, one that's fair. Paramedics are an essential service, but they're being treated by a process that is entirely unfair, different than police, different than the fire service.

If the Solicitor General wants to stand in his place and tell this House and tell the paramedics that he respects them, but he's going to put in place an unfair process—give us a break. Tell us how you're going to treat people who are deemed to be essential in a fair and consistent way, my friend, because until you do that, all the stuff you talked about for 10 minutes is meaningless; it's completely untrue. The only reality in this piece of legislation, in Bill 58, is that the government has decided that yes, paramedics are essential, but no, they will not have the same rights as police or the fire service.

I ask you, sir, is that fair? I ask you to stand up and defend that. I ask you to tell the paramedics of this province that they are not essential and not deserving of the same rights the police and fire service have—and nurses, for that matter. That's the core issue. You can stack the arbitration any way you want. Your Minister of Labour can set up whatever process, whatever parameters he wants—it is entirely different. Consistency, my friend, is all that paramedics in this province are asking for. I ask the Solicitor General to stand up and talk about why this government refuses to do that.

The Acting Speaker: The Solicitor General has two minutes to respond.

Hon Mr Turnbull: I've heard a lot of sanctimonious rubbish this afternoon. With respect to why paramedics are different from police and fire service, it's quite simple: there are no comparables for them—be very clear about this—whereas the difference is that has always been the arrangement. For example, in Toronto, in which we live, it has always been the arrangement that the pay raise that is negotiated generally among the municipality then is applied to those workers. Of course, the big difference is that we are now paying 50 cents on the dollar, whereas before the federal government had never contributed anything to this health care. Also your government didn't contribute anything when you were the government.

With respect to the member for Toronto-Danforth, quite frankly, her arguments are completely spurious. The fact is there has always been the ability to go to arbitration, but you weren't allowed to go to arbitration once you were in that process which existed in Toronto.

The Acting Speaker: It being almost 6 pm, this House stands adjourned until 6:45.

The House adjourned at 1754.

Evening meeting reported in volume B.

ERRATUM

No.	Page	Column	Line(s)	Should read:
26	1284	2	53-54	Laughren, who was quoted in this well-known publication Inside Queen's Park as saying, "State-sponsored

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Second Session, 37th Parliament

**Assemblée législative
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Deuxième session, 37^e législature

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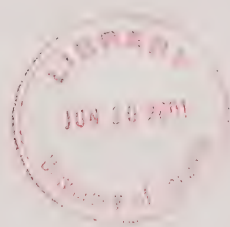
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 11 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 11 juin 2001

The House met at 1845.

ORDERS OF THE DAY

GOVERNMENT EFFICIENCY ACT, 2001

LOI DE 2001 SUR L'EFFICIENCE DU GOUVERNEMENT

Mr Sterling moved second reading of the following bill:

Bill 57, An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts / *Projet de loi 57, Loi visant à favoriser l'efficience du gouvernement et à améliorer les services aux contribuables en modifiant ou en abrogeant certaines lois.*

Hon Norman W. Sterling (Minister of Consumer and Business Services): I'm going to share my time with the member for Etobicoke Centre, Mr Stockwell; the member for Peterborough, Mr Stewart; and the member for Simcoe North, Mr Dunlop.

As Minister of Consumer and Business Services, I have been asked to carry a piece of legislation that includes the cumulative efforts of over 15 ministries. The 15 ministries have identified opportunities for improvements to their policies and programs, or they are dealing with problems that have been brought to them by the attention of the stakeholders they serve.

In general, these amendments are seen as minor amendments to larger pieces of legislation. In other words, they are directed at fixing problems, often administrative problems, but in some cases deal with some substantive issues as well. I'm sure the Minister of Labour, Mr Stockwell, will be dealing with one of the issues that has raised most interest in this bill, dealing with that specific issue and explaining the amendments to his legislation that are included in the bill.

This bill and the previous bills, which have sometimes been known as red tape bills, have been put together to try to make processes clear, so that people, when dealing with government agencies, understand what is required of them, and in some cases to do away with regulation where it is deemed to be unnecessary.

Our government, when we were elected in 1995, was elected on the basis of building a stronger economy, creating jobs, cutting taxes, increasing government efficiency and cutting red tape, as well as removing barriers to

doing business in this province. In 1999 we were re-elected on a vision that we had to compete globally and at the same time remain the best place in North America to live, work and raise a family.

Our efforts have produced some very positive results. Look at the employment figures and the number of jobs that have been created in this jurisdiction. We match any other jurisdiction in North America, and in fact exceed them.

Last year a study done by the World Bank and Harvard University, which surveyed 75 countries, concluded that based on Ontario data representing Canada as a whole, this country had the least amount of red tape that new businesses have to face when starting up. The study was based on data for Canada, but solely on the province of Ontario because Ontario represents 42% of the economy of all of Canada. It concluded that it is possible to have regulations that protect consumers and at the same time have an easy-to-use business registration system.

The authors went on to say that the Ontario government has very good economic policies, and that those governments that care about new business in a similar way in which they care for people are most effective and efficient in encouraging new business opportunities. This is exactly why we have introduced the Government Efficiency Act, 2001, the short term for Bill 57, which we're talking about this evening. The act contains rules and regulations responsive to public needs, while eliminating waste and inefficiency. We care for people and we care for businesses. We want fair practices and we want fair rules. We want protection for people and businesses and we want to remove unnecessary red tape for all of our residents.

1850

With the Government Efficiency Act, we achieve these goals. For example, one part of the bill dealing with landlord and tenant laws makes it an offence for a landlord to retain a rent deposit and at the same time refuse to provide occupancy of a rental unit. Most landlords do return rent deposits to prospective tenants, as they are currently required to do. Prospective tenants must go to Small Claims Court to get their deposit back if the landlord refuses to return the deposit. By amending the Tenant Protection Act to require landlords to return a rent deposit if they refuse to provide the unit, and by making it an offence for a landlord to do so, we are giving prospective tenants greater protection against a clearly unfair rule in favour of landlords.

The act will also make it an offence if landlords do not provide evicted tenants 48 hours to retrieve their property. Currently under the Tenant Protection Act, landlords are required to give evicted tenants 48 hours to retrieve their property. However, it is not considered an offence if they don't. The tenant again is pushed into Small Claims Court to get their remedy. Tenant stakeholder groups have expressed concern that tenants are defenceless against landlords who refuse to allow evicted tenants access to the rental unit for the removal of their property. The proposed amendment will help to address those concerns.

Bill 57 also seeks to provide and confirm added protection for children subject to guardianship. Bill 57 will confirm the requirement to serve the office of the children's lawyer when bringing in an application for guardianship or for court approval for the disposition of property of a minor child. The amendment will also clarify that a person seeking to be appointed guardian of the property of a child is required to submit to the court a proposed plan for the management of that property or money. Currently some judges refer applications for guardianship and disposition of property of a minor child to the office of the children's lawyer, where they have not been served, which has resulted in delays of proceedings. The government is making sure that more protection and fair rules are provided to children in special situations.

The bill proposes to establish a two-year limitation period on filing complaints under the Employment Standards Act. The intention is to clarify the period for filing a complaint about a reprisal, a failure to reinstate after leave, and non-monetary violations. The current Employment Standards Act has no limitation on when a complaint can be filed. The only limitation that exists is on the recovery of wages owing where the amount that can be recovered is restricted to the money that was due in the six-month period preceding the complaint. The two-year limitation period would provide the workplace parties with certainty regarding the ability to seek a remedy under the act.

For too many years, previous governments built a wall of red tape in our province, a wall that choked many small businesses and businesses important to certain regions of the province. These regulations killed jobs and damaged communities. But our government had a plan, a plan to foster a cultural shift in the way it does business with business and the way it helps communities.

As another example, Bill 57 is proposing six amendments to the Mining Act which are administrative in nature and which have the support of the Mining Act advisory committee, whose membership represents a wide cross-section of stakeholders in Ontario's mining sector. These include representatives from environmental groups and labour.

I'm not going to go into the specifics of the particular amendments, but what the amendments do is make it easier for lending institutions to deal with abandoned properties, and with chattels that are in those properties

as well. It also allows the lenders to deal with potential dangers when the mining industry is no longer there.

There are many other examples in this red tape bill or Government Efficiency Act, 2001. One example is that this bill will rescind some old legislation that we have passed in this Legislature. For the past 10 years, each year we have passed a Supply Act. The supply acts from 1991 to 2000 are now outdated. They're useless and don't mean anything. This act makes an amendment which wipes out all those 10 acts, takes them off the books and doesn't present much opportunity for debate really, or I would hope so.

In essence, the Government Efficiency Act takes a whole bunch of little things that need to be done to a number of acts across 15 ministries in this government. Rather than bringing individual bills on each and every matter to this Legislature, which would take up a lot of legislative time and might, quite frankly, be favoured by the opposition, because what opposition parties like to do in general is stall the government and waste the time of the Legislature, we believe that by bringing them all together and having them of a minor nature, we can better utilize the majority of our legislative time for larger policy matters in this Legislature.

I have heard from time to time—as you know, I was the government House leader as well in this place—the opposition complain about the fact that we have to use the rule in our standing orders, which was brought to this Legislature by the former NDP government, that we put forward a time allocation motion. Often the members opposite trot this out and talk about it. That wouldn't be necessary if the opposition co-operated on what I would call minor or low-effect bills like this particular bill. If we are forced to debate this bill for three days, at least, on second reading, then the government will be forced to spend another legislative day after those three days to put forward a time allocation motion and probably another day after that to have third reading and deal with final passage of this bill. That's five legislative days, and I think it costs over \$100,000 a day to have this Legislative Assembly open. I think that indeed is a waste of our resources and the fact that we can deal with more significant matters than are contained in Bill 57. That's why I would urge the opposition to debate this bill with reason, not exaggerate, as sometimes opposition parties are prone to do, and bring this bill to a speedy vote this evening, so that we can get on with more important business tomorrow and can spend that \$100,000 this Legislature spends each day it's open in a more efficient manner.

I have used about 14 minutes of our opening statement. I look forward to hearing the constructive suggestions of both my backbenchers and the opposition and will be glad to answer any questions they might have.

The Acting Speaker (Mr Bert Johnson): Further debate?

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Hon Chris Stockwell (Minister of Labour): I guess I want to start out by picking up on the relevant theme of

the minister who was speaking before me. We all heard the comments that were made today during the period when we were recognizing all the old members who came back to this House. I thought Mr Conway's comments were exceptionally good. I thought he ended them on a rather interesting note. Mr Conway suggested that this place has changed, and the same kind of decorum and temperament in this House didn't appear to be here any more. I think everybody who's been here for any length of time—I look across the floor and I know the member for St Catharines certainly has been, the member for Hamilton West and Toronto-Danforth as well; certainly the member for Welland on the opposition benches; I see my friend from Wellington, he's been here quite a while and, of course, the minister who previously spoke—could all probably speak to the fact that yes, things have gone differently in the last little while.

A lot of concern that the opposition seems to speak about is the fact that the government moves a significant number of time allocation motions. I, myself, am particularly loath to introduce time allocation motions. I don't particularly think they're helpful for creating an atmosphere of camaraderie or a working relationship that helps foster some form of agreement when it comes to dealing with issues in the House.

I guess you're wondering what this has to do with the bill that's before us today. I'm going to talk sort of extemporaneously at this time about why this side of the House ends up moving time allocations which, again—I would think I could speak for the minister who just spoke and myself—we're many times not particularly happy about having to move. But it's a two-way street, and I think the co-operation of being a two-way street probably has a responsibility for us as government, but there is also an equal responsibility for the opposition.

I don't think it's any shocking surprise to the public out there that, as we sit during the afternoon session and tonight, this place isn't exactly loaded with members. Many times you could be speaking to as few as five or six. They're simply here because they're the next up or they don't want to have no members in the House. So a party will throw one or two people in, or in a lot of circumstances we rely on the member for St Catharines. Jim celebrated his 24th year in this place on Saturday and I think it's wonderful. It's a shame that his 24th year wasn't actually celebrated in this place, as opposed to Norm's.

But I guess my concern is this: this bill we debated this afternoon, in my opinion, wasn't the most controversial piece of legislation that's ever come down the pike. I remember sitting through the briefing, and probably the situation was similar to this on any bill. No offence to my members, but possibly three are listening. We stand in our place here and we talk about what's before us. At the briefing before, I said to the member who's the critic for the NDP, who's probably not listening now, who I'm sure isn't—I'm positive actually now because neither of them turned around. The fact is that you went to the briefing and I said, "If you really want

something good to come out of this bill or you have amendments, why don't we debate it for one or two days and we'll send it off to committee?" Apparently this envelope is of much more interest to them and the attention they want to derive than what we're speaking about today. I'm not challenging them. Quite often that's the state of affairs in this place. But it was decided, "No, we're going to take the mandatory three days of debate. We're going to make you move time allocation."

Now, least innocuous of all is this bill before us today. It's even less innocuous.

Mr David Caplan (Don Valley East): Come on.

Hon Mr Stockwell: Well, the member for Don Mills opposite says, "Come on." Possibly the most partisan member here, I wouldn't expect to catch his attention. But I think more balanced members could say, after hearing the explanation of the bill, that you could probably come forward and maybe have some argument that this isn't the most controversial piece of legislation. It was so uncontroversial that the Liberals didn't even send anybody to the briefing. They didn't send anyone to the briefing of this bill and they didn't send anyone to the briefing of the ambulance bill. Not that you didn't send anyone, you sent staff, but there was no political person at either one of those briefings.

But you come in here today and claim that this is the most controversial piece of legislation.

To the point: we have the responsibility for moving time allocation, but you also have the responsibility of ensuring that it isn't necessary to move time allocation on every bill. This has got to be one of those bills.

Mr James J. Bradley (St Catharines): Oak Ridges moraine. One, two, three.

Hon Mr Stockwell: The member says, "Oak Ridges moraine." I don't want to remind the member, but I will, that we actually acquiesced to your request to have second and third readings. You requested second and third readings and we, through the confidence of this government, agreed. We said if that's how you want to do business, we will co-operate. I can understand why they did it, but if you want to do that, we said, "OK, we'll do it."

I guess the point I'm making, before I get into the guts of this bill, where the member for—

Interjections.

The Acting Speaker: I want to remind the member from Don Valley East and the minister that there is no talking out.

Hon Mr Stockwell: If you're going to have meaningful debate on bills that come before this House, you have to pick and choose what bills you want to have meaningful debate on. It is an impossibility to have meaningful, long-term, exaggerated debate on every bill that comes before the House. It never worked that way under the Liberal government from 1985 to 1990; it never worked that way under the NDP government from 1990 to 1995. But progressively it got worse and worse to the point where today there isn't a bill that comes into this House that you aren't forced to do three readings on and a fourth

day for time allocation, thereby jockeying up these, "They've moved more time allocation motions in this Parliament than any other Parliament in the history of mankind," which, quite honestly, out there in the world, nobody cares about. The only ones who care about it are us, and all we end up doing is fighting amongst each other to take four days to talk about a bill that nobody really cares about, at the expense of talking about bills that everybody cares about.

So we're playing one against the other. You say, "You've moved more time allocations," and we say, "You never let us debate a bill for one day," even if it's in an innocuous bill such as this one that just changes a whole bunch of red tape issues that are obsolete or out of practice for good government.

The one part of this bill they may have exception to is the health and safety part. The only part of this bill that's the least bit controversial—the member for Welland asked me about it last week—was with respect to an inspector going to a site to inspect a health and safety issue. That was it.

I would have said at the briefing, had they come, and I've said during question period and I'll say to you today, that the only way an inspector would not go to a site for a full inspection is if he believed it wasn't necessary. I gleaned examples of two cases we have where inspectors have said these cases wouldn't be necessary to take an inspector out, shut down a plant for two or three hours, or sometimes one or two days.

Scenario one: a work refusal stating the worker's supervisor is not qualified to be his boss. Clearly it's not a health and safety issue. However, under the act's current language, we have to send an inspector to the workplace. So we shut down that operation while an inspector got in his car, went to the site and said, "This is not likely to endanger anyone's life," and they started operation again.

The inspectors have said to us, "Listen, there's no need for us to get in a car and travel two or three hours to a site that's been shut down to hear this complaint. We could simply ask the parties to fax us the information, review it and make a decision." That's as controversial as this bill gets.

Example two: the Ministry of Labour receives a notice of a work refusal and investigates. Hours later, a work refusal by another employee under the exact same circumstances. Again, under the act, we would have to send an inspector to investigate. You had the exact, same complaint from the exact, same workplace regarding the exact, same health and safety issue that was filed a mere three hours earlier that was ruled on as not being a health and safety issue. The inspector said, "I don't need to go back out there and look at what I just looked at three hours ago."

So the amendment will help reduce the abuse of work refusals and will enable us to concentrate our inspectors on legitimate health and safety concerns. Let me underline that point, since I have the rapt attention of the third party.

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As long as we have to send these inspectors out to investigate these frivolous requests, then they're not doing what they're supposed to do, which is going to real workplaces in real places in Ontario where there is really a danger someone could lose their life or lose their arm or lose their leg or hurt their back. Why can't they go there? Because they're going to these kinds of places.

Surely to goodness the opposition—

Mr Bradley: How many times a year?

Hon Mr Stockwell: I say to the member for St Catharines, you would be astounded how many times a year it happens. There's one sector in the province that represents 30% of all work health and safety calls—30%—and they represent less than 1% of the employees out there.

Mr Bradley: What one is it?

Hon Mr Stockwell: I'm not saying, but there is one group that is there. So rather than having a health and safety inspector out there investigating real issues where real people die in workplace-related issues, we have them going here and the opposition parties defending this as some action a responsible government should take, in a noble sense. I think they believe they're representing the rank and file, but all at risk of those people who truly have their lives on the line because some employers aren't providing safe workplaces.

Mr Bradley: Didn't Bill Davis bring this in?

Hon Mr Stockwell: I expect something a little less thought-provoking from the member for St Catharines, but I wasn't disappointed.

If the argument is, do you introduce legislation and sometimes not foresee problems? Yes, you do. This was introduced a long time ago, 15 or 20 years ago. Times have changed, and we decided that this isn't the best way to have taxpayers' money spent trying to protect people's lives.

I look to the member for Sarnia, who has a lot of places in her riding where people's lives are at risk every day because there are very dangerous workplaces. We never have enough health and safety inspectors, it seems, to get around. Why don't we have enough health and safety inspectors to get around?

Mr Bradley: You fired them all.

Hon Mr Stockwell: We didn't fire one of them. It's because they're answering calls like this.

All I'm saying to this House is that if you would allow us to have the inspector who is a professional, designated inspector—not me, not the government, not the members, not the PA, not the minister, not the minister's staff, but that professional inspector to say, "Look, I, the professional inspector, don't think it's necessary to shut the plant down, have me get in a car and drive for four or five hours and go out and see a site that I know is not unsafe. My time would be better spent going to a site that I think is unsafe." But no, we can't do that. Why? Because the opposition has to hold this up for three days so they can put another time allocation tick on their belts. That's why we're doing this. The rest of this stuff is so innocuous.

WHMIS: section 36—this is what's in this bill, folks—requiring the employer to keep an inventory of hazardous substances in the workplace will be repealed. Section 36 was passed—as I see my friends from Niagara and St Catharines thoroughly enraptured with my speech—by the Liberal government, but I've got opposition members saying, "Why are you doing it? This is terrible." Section 36 was never proclaimed, ever. It was passed in 1990 under the Liberal government; 11 years later it was never proclaimed. Why wasn't it proclaimed? Because WHMIS was adopted. WHMIS is the workplace hazardous materials information system, which was more comprehensive than section 36; therefore, they didn't need to pass section 36. We didn't need it.

But we're going to spend four days arguing about, "Why are you taking out section 36?" so you can put another tick in your belt that you had another time allocation motion, rather than talking about something I know the member wanted to talk about, bills that he thinks are more important, for the member for St Catharines. But that's not important in here. We live in a bubble. What's more important is, "We forced the government to pass another time allocation motion, and they're the most undemocratic government in the history of mankind because they passed 17 more time allocation motions than I ever passed when I was in government."

Mr Caplan: At least you admit it.

Hon Mr Stockwell: I say to the member for Don Valley East, and I'm going to try again because I know you're a student who wants to learn, what happened before and what I said in the—

Interjection.

Hon Mr Stockwell: It's hard to learn when you're talking.

The Acting Speaker: The member for Don Valley East, come to order.

Hon Mr Stockwell: What I was trying to tell you was that the member from Renfrew was saying earlier, what happened before was—and when the NDP were in government they would bring in bills, like the Liberals, bills such as this. The House leaders would get together and say, "This is a nothing bill. Let's blow it through on a wink and a nod and let's get more hours of debate on Bill X." The House leaders would then negotiate how much time you'd get on Bill X and how much time in committee hearings.

Mr Caplan: You changed the standing orders.

Hon Mr Stockwell: OK, Don Valley East, I'm trying to lecture you here and I can't lecture if you keep yapping, so I've got to lecture. What happens today is that you go to negotiate—

Interjection.

The Acting Speaker: Order. I won't warn the member for Don Valley East again. Bring yourself to order.

Hon Mr Stockwell: What happens now with House leaders, I take it, is that there's no negotiation. There's no discussion about a bill. There's no discussion about committee time. It is all, "When are you going to move time allocation?" "Why?" "Because we're going to debate this bill, this minor bill that talks about parental

issues with respect to children and talk about these minor changes to the laws"—pardon?

Hon Mr Sterling: The Mining Act.

Hon Mr Stockwell: "—the Mining Act, to make it safer to work in the mining industry, so we're passing regs in the Mining Act, withdraw section 36, which was never proclaimed. We want to talk about that for four days. We don't want to talk about all those meaningful bills because, if we do let you pass this and you give us six or seven or eight days' debate on those meaningful bills, then we won't have any time allocation motions to shove in your face when you move another time allocation motion."

So, do we have a responsibility? Yes, we do. I say to the members opposite, we have a responsibility. You're right. We have a responsibility to give you enough days to debate a bill that's fair and reasonable, provided bills like this and the ambulance bill take one or two days to debate. If you want to go to committee on bills like this or bills like the ambulance bill, you can go to committee. Sure. If you want to have one or two days' debate on the ambulance bill and ship it off to committee, I'm in favour. I don't mind going to committee to have a debate about that bill. But there are only so many days in the legislative calendar, you only have so many days to pass bills and you can't use it. So therefore you end up moving time allocation.

I could walk through this bill, as I've walked through Bill 69: controversial, I agree. I've walked through Bill 139: less controversial, not nearly as controversial as people made it out to be. Bill 147, employment standards: controversial, I agree. There should have been a lot more debate on that. Can't do it. Bill 139: there should have been no debate on it. It wasn't that controversial. Couldn't do it. Had to take four days. Every single bill, regardless of how controversial it is, regardless of how important it is, regardless of how it affects the lives of people in this province, gets the same amount of time and space in this place regardless of its importance to the people we purport to represent. Why? Because we've reached a stalemate among the opposition and the government. There's no trust. I agree with the member for Sarnia that there's no trust. House leaders' meetings just become, "When are you moving time allocation?" Then we move time allocation, and indignation and synthetic indignation reign supreme on the other side. "Another time allocation. The sky's falling. The world will end."

The only ones who care are you and I. Out there, they don't care. They don't. They think you're nuts. They think we're nuts. You tell them, you go out there, you go out to a meeting and you say to them, "Do you know that they've moved 22 time allocation motions?" And everybody will go, "Holy smokes, what the hell's a time allocation motion?" That's what'll happen. And you'll be indignant and say, "It means they've cut off debate on Bill 59," and they'll go, "Holy smokes, what's the hell's Bill 59?"

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Mr Bradley: They don't know because you've rushed it through.

Hon Mr Stockwell: There. See? It never ends. He's partisan from the day he was born to the day he dies. He's convinced somebody cares besides him and possibly his sister. But that's it. So when actually a bill comes forward that is meaningful, that should get eight or nine or 10 days' debate where we should have a give-and-take, that should go to committee, you can't because you've got to pass these kinds of bills and they take as much time.

Mr Bradley: There's always a hostage in them.

Hon Mr Stockwell: There's always a hostage? What's the hostage in this bill, I say to Mr Bradley? What's the hostage in the ambulance bill to stop us from saying, "One or two days' debate and go to committee"? What's the hostage? You get your time at committee. You get your opportunity for amendments. I was prepared to go. I made the offer. "No, we want you to move time allocation." "Why?" "I don't know. We just always want you to move time allocation."

Interjection: "That's what we're supposed to do."

Hon Mr Stockwell: "That's our job. We're the official opposition, and the official opposition means, 'We want you to move time allocation.'"

Here we go: four days' debate on Bill 57. The most controversial part of this bill, I admit, comes from labour, that says a professional inspector, a civil servant, who gets a complaint about an unsafe workplace may determine in their own mind, "I can hear their complaint by phone or fax or e-mail rather than going to the site every single time." We will be here for four days discussing that most controversial piece of legislation.

The sad reality is that members will stand up and talk about it and they'll have no idea what they're talking about because they'll be given a note and they'll be asked to read the note. I sat in that chair. The beauty of sitting in that chair is that you sit there and listen. You listen to everybody's speech. The problem is, once you've heard one, you've heard them all. There's nothing new offered. The rhetoric and hyperbole are the same. Then there's a time allocation motion and then my friend for St Catharines stands up and screams, "This is the most offensive government in the history of mankind. This is their 27th time allocation motion, and we as a government only moved 16 and the NDP moved 22." If any of them ever get in the government and the same rules apply, they'll be doing the same thing on time allocation that we did.

Interjection: God forbid they do.

Hon Mr Stockwell: And God forbid we do the same thing in opposition. But I get the sense we're in a downward spiral, because that downward spiral only adds up to one thing: we, my friends, all my friends, become more and more irrelevant. Every day in this House we become more irrelevant because we end up talking about issues that nobody gives a damn about, and we start pushing other issues that people actually care about out the door in the same amount of time as we do issues that nobody gives a damn about.

As I said in the beginning, I think this is as much our fault as your fault. I don't suggest the blame is solely on

you. It's not; it's on both of us. I'm not so sure it's repairable, because I'm not so sure we're ever going to get back to a stage where anyone trusts anybody. But the sad reality is, we may one day be there and you may one day be here, and it's exactly the same thing happening. You changed the rules; you moved time allocation motions. The NDP changed the rules and they moved time allocation motions. The Conservatives changed the rules and we moved time allocation motions. All that happens is that the speeches absolutely reverse. What used to be fair and reasonable is now an indignant affront to the democratic process, and the rotation just goes on.

I'm going to say that this is a non-controversial piece of legislation. It's a reasoned and thoughtful approach to remove honest red tape from government. It's also a thoughtful approach to create better government for the people we're supposed to work for. This shouldn't take four days to debate.

Mr Bradley: Who's in charge, though, is right here.

Hon Mr Stockwell: I say to the member opposite from St Catharines that he has never, ever disappointed me in that he has uttered at one point in his life every cliché ever known to mankind.

I have no doubt in my mind that regardless of how innocuous, innocent and sincere this legislation may be, we will sit here for four days and prove to the people of the province of Ontario exactly how irrelevant we are.

Mr Garfield Dunlop (Simcoe North): I'm pleased to speak in support of the Government Efficiency Act and the potential benefits this bill contains for Ontario residents.

As my colleague has said previously, Bill 57 continues the government's fight to combat red tape and the unnecessary rules and regulations that stifle job creation and place barriers to business growth. Red tape stifles business. It takes up valuable time and energy, it discourages economic growth and job creation. It also gets in the way of government providing efficient, speedy and ultimately cost-effective services to business and to the public.

My colleague the Minister of Consumer and Business Services has made the point that the Government Efficiency Act would protect some stakeholder groups from potentially unfair rules. He mentioned the Tenant Protection Act and the Children's Law Reform Act. Those are two examples of fair rules that will serve members of the public.

My colleague the Minister of Labour mentioned that public safety would be increased thanks to an amendment to the Highway Traffic Act that would make it mandatory to suspend the licence of a driver fleeing from police.

The proposed changes in the Government Efficiency Act, 2001, are the result of our listening to the voices from the public and business that called for fair rules and efficient and easy-to-understand services. This bill does just that.

There is no doubt that in the last six years Ontario has experienced one of the most impressive periods of economic growth not only in the history of the province but

in the history of the whole country. This was done in large part because of the creativity and drive of small businesses.

When this government took office six years ago, it recognized that taxes were too high, bureaucracy was too big and that red tape was strangling the initiative and the innovation of business people across our province. Our program of lower taxes, balanced budgets and elimination of unnecessary red tape has restored economic health and prosperity to the province of Ontario. We must continue on this road. We must continue to exercise vigilance and to remove barriers to growth wherever they exist. That's why it is important to develop an environment conducive to job creation and not to let unnecessary red tape build up and spoil job creation.

Since June 1995, we have passed 13 red tape reduction bills, repealed more than 50 outdated acts, amended more than 200 acts and eliminated more than 17 unnecessary regulations. With this Government Efficiency Act, we continue the work our government started six years ago. We are doing it because this government understands the enormous contribution that small business makes to job creation and because it understands the need for the public to have clear and consistent rules and regulations.

Our government has introduced a host of changes over the last six years aimed at solving the aching problems of excessive red tape. It is a long process, but we are keeping up the fight and we will continue to do so. We have seen some evidence that we are on the right track, in fact that we are leading the way, as a study by the World Bank has indicated that the Ontario jurisdiction is the one where businesses face the fewest ordeals and barriers when starting up. We want to extend that success to all levels of businesses and to all residents of the province.

There are many other changes in this bill designed to improve customer service and streamline government operations for greater efficiency. One of them is the amendment to some environmental statutes. This bill would make it an offence for anyone to give false information to the Ministry of the Environment, its employees or its agents under several environmental statutes. This is a reason why it is necessary to add third parties to the list of those to whom it is an offence to provide false statements.

For a number of years, the Ministry of the Environment has recognized the need to work with others to find practical, cost-effective ways to strengthen environmental protection programs.

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For example, new innovative approaches have been developed and have made it important to ensure that accurate information is provided to those partners involved in delivering the environmental protection program. This proposal will help strengthen the enforceability of such an environmental protection program. For instance, the Ministry of the Environment's Drive Clean program is delivered by several third-party contractors who are to fulfill requirements set by the ministry but who are not considered to be crown agents. Test facilities

require accurate information about the motor vehicles to be tested, such as the identity and address of the owner and various other details about the vehicle. Additionally, these facilities did not submit test results directly to the crown but to another contractor who maintains the database for the program. As the Ministry of Transportation relies on this database in making licensing decisions, it is clear that information submitted to the database must be very accurate.

While it is anticipated that most of these situations can be addressed by the general language of the act, this proposal also includes the power to make regulations so that partners involved in the delivery of programs can be clearly identified. The bill also contains an amendment to authorize the Minister of the Environment to establish and require the payment of administrative fees in respect of matters under the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act.

The ministry has addressed the concerns of the public and the regulated community by making a commitment to ensure adequate public consultation and accountability for future fee-setting initiatives. All fee changes established by the new powers of the minister would include thorough public and stakeholder consultations, including posting on the Environmental Bill of Rights registry, in addition to receiving appropriate government approvals.

The regulated community and the public were informed of the commitment from the Ministry of the Environment to undertake adequate consultation on future fee-setting initiatives through the posting of this proposal on the environmental registry for 30 days, which ended on March 14, 2001. It is necessary to replace regulations for fees with general provisions for the minister to establish fees. It is a question of fair rule, fair practice and consistent government policy.

This proposal is in keeping with the government's commitment to improve efficiency by replacing regulation-making powers with the minister's authority to set and collect approved administrative fees. Other ministries use similar fee structures. For example, the Ministry of Natural Resources uses a fee structure in its fish and wildlife licences. It is also used in the Aggregate Resources Act and in 23 acts administered by the Ministry of Consumer and Business Services. It is clear that using the minister's authority to set and collect approved administration fees would streamline the decision-making process, but it would also maintain an appropriate level of accountability and it would facilitate fee adjustments when needed to ensure accurate service cost recovery.

Under this bill, it is proposed to add a new section, 125.1, to the Ontario Energy Board Act to allow the Ontario Energy Board to levy penalties on licence holders who do not comply with the terms of their licence. These penalties would be appealed to the Ontario Energy Board for a hearing. The prime purpose of this legislative change is to give the Ontario Energy Board the ability to issue penalties for utilities and other participants who are not meeting timelines for retail testing in order to open the electricity market.

A second benefit is that it helps to reinforce the Ontario Energy Board's mandate to protect consumers. Under current legislation, the only recourse the OEB has to deal with non-compliance is to revoke a gas or electricity participant's licence. Since such action might disrupt the market, only extreme cases would actually warrant it. Under this amendment, the director of licensing would be able to impose an administrative penalty on gas or electricity companies where they fail to obtain a licence or do not comply with the terms of the licence, including violating the Ontario Energy Board's code of conduct for gas and electricity marketers. The director of licensing would have the power to levy a fine of up to \$10,000 for each day or part of a day on which the contravention occurred or continues.

For electricity, this legislative change would strengthen the Ontario Energy Board's ability to ensure the timelines for market opening are met and the participants will be ready to compete on market opening day. It puts all energy marketers on a level playing field and ensures the rules are clear and fair for everyone wanting to participate in Ontario's energy markets. It also reinforces the board's ability to protect consumers from unfair practices by any gas or electricity marketer.

The bill contains amendments to the Crown Forest Sustainability Act that would clarify the definition of "crown forest" under this act. Specifically, the bill would revise the definition of "crown forest" to include forest on lands owned by provincial government agencies other than the Ministry of Natural Resources. Another amendment would authorize the minister to approve amendments to forest resource licences where such amendments comply with existing land use and forest management plans and when both the minister and the licensee agree in writing. This amendment streamlines the legislative process to regulate changes to forest resources licences.

I would like to stress that these changes remain bound to follow existing land use and forest management planning processes that are based on extensive public consultations. The minister can approve amendments only when the companies involved are in agreement.

Under this bill, the Conservation Authorities Act would be amended to update provisions for municipal representation on conservation authorities in order to reflect the results of municipal restructuring.

Finally, the bill would include a hiatus amendment to the Family Responsibility and Support Arrears Enforcement Act, 1996. The purpose of this amendment is to clarify that arrears which have accumulated between the time a support order is withdrawn from the FRO up to the point where the order is subsequently re-filed are enforceable by that office. Under this act, a support order can be withdrawn from the Family Responsibility Office if both the payer and the recipient agree in writing to that withdrawal. There is also provision under the act that one of the parties can opt back into the Family Responsibility Office. This opt-back often occurs when the payer defaults on the support obligation set out in that order. The period between the initial opt-out and opting back to

the Family Responsibility Office is commonly referred to as the hiatus period.

I had a little more prepared, but I'd like to turn it over now to the member for Peterborough.

Mr R. Gary Stewart (Peterborough): It is indeed my pleasure to be able to speak to the Government Efficiency Act, 2001, which is a continuation of the Ontario government's battle for good government. I want to just make a comment. The words "efficiency" and "accountability" are used quite regularly in this House. The unfortunate part about it is that there are a lot of people in this House who do not know what efficiency and accountability are. It has been proven in the past and it will, unfortunately, possibly continue in the future.

It was interesting today, and I want to compliment the member from Etobicoke Centre who was talking about working together. I happened to be in Kemptville today at a meeting on rural economic development in which there were about 25 participants. One of the things they kept saying was, why can't levels of government work together? Why can't the opposition parties in government work together to make this province better? But no, "If we're in opposition, then everything is wrong." I suggest to you that people out there, as the member from Etobicoke Centre suggests, are getting fed up. They're also getting fed up with not truthfully knowing what is happening up here because of some of the rhetoric that's being used.

The bill, I believe, is consistent with the speech from the throne in April and the promises to streamline government and to remove barriers to jobs, investment and growth. That's what it's all about. That's what it has to be about if we're going to continue to make Ontario the province that we want it to be. It has always been the focal point of business; it has been the economic engine of this great country. We've got to continue to do that.

This bill contains changes that will help to move things along. As the member from Simcoe North, or Simcoe Centre, said—my apologies, Mr Dunlop. Simcoe Centre?

Mr Dunlop: North.

Mr Stewart: North, sorry. As he suggested, there is red tape. I've been in business for a good number of years, and I can tell you that one of the biggest impediments to business, whether it be small, large or I suppose even within your own home—to expand your house or build additions to it, whatever it might be—red tape seems to rear its ugly head many, many times. If we are going to continue to move the engine along and keep the engine going, we want to make sure that red tape is eliminated. That's one of the priorities of this government, and it will continue to be.

Some of the changes—I'm just going to mention two or three of them—are designed to eliminate unnecessary requirements, clarify sections of statutes and simplify the process.

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The bill includes several provisions that would remove out-of-date barriers. I've always been a great believer

that when we put in legislation, we should have sunset clauses in it, to go back and revisit on a periodic basis to make sure that it is still working as it reflects on the time and on the future. We've got to revisit to make sure that things are not impeding growth, are not moving the province backwards instead of going forward. The bill, as I said, makes it easier for many stakeholders to proceed with necessary changes in their business without impediment from the government.

For example, the bill intends to modify sections 34.2 and 34.3 of the Corporations Act. These sections from the Corporations Act state that in order to permit social club corporations to convert to a business or a non-share capital corporation, unanimous consent is necessary. Surprise, surprise, you wouldn't get unanimous consent in this House if somebody higher up asked us to do just that, because that doesn't seem the way that it is to be done. Whether you believe it or not, that doesn't seem to be the way, and the unfortunate part of it is that the taxpayer of this province is the one getting the short end of the stick.

As we know, as I mentioned, unanimous consent is almost impossible to achieve. Therefore the bill intends to modify this rule. Instead of unanimous consent, the bill would change this rule into a two-thirds majority of shareholders. The rule of a majority of two thirds ensures that any move toward converting a social club corporation to a non-share capital corporation would receive the strong support of members of that particular club.

Members of social club corporations agree with the proposal, and they feel they can work with it. Isn't that what should be done? It always amazes me that politicians are supposed to know everything about everything and they are the great ones who are going to tell everybody how to do it. Unfortunately, I believe those who are involved, those who do these things are the ones who should set the standards and they should be the ones who direct it to being done the way it should be.

Another thing the bill does, for example, is change the name from the Ministry of Consumer and Commercial Relations to the Ministry of Consumer and Business Services in all statutes in which the name of the ministry appears. It's kind of unique to actually have a title of a bill that describes the bill so that the average person can understand and can identify with that particular bill. Also, it does the same with the Ontario Court (General Division) and the Ontario Court (Provincial Division), changing them to the Superior Court of Justice and the Ontario Court of Justice in all Ministry of Consumer and Business Services statutes in which the names have not yet been changed.

Again, it's called consistency. It's also called making it customer-friendly. As I wander around my riding, this is one of the problems that people have out there. We are not customer-oriented up here. We are not customer-friendly, and I think it's just about time that we changed that and tried to do it.

Also, the bill makes changes to the Ontario College of Teachers Act with the change to establish a roster of non-

governing council members from which the college would draw to supplement its panels. One of the problems is that there are major holdups. There are 29 hearings, 11 of which have not yet been scheduled. Why would we not make it easier for those appeals or those hearings to be conducted? There's nothing that aggravates anybody any more than the fact that you are held up for a decision, or it goes on and on and on before people can get any type of decision.

The governing council consists of 17 elected members of the teaching profession, of which 13 are members of the Ontario Teachers' Federation. It's my understanding, and I stand to be corrected, that there are also three members on the council from the independent school systems. It's my understanding that they are not totally recognized by the teachers' federation, but indeed, as far as I'm concerned, they are qualified teachers and extremely dedicated teachers.

There are many other changes in the act, one being to guarantee safer communities and roads—mandatory licence suspension of those convicted of fleeing from the police. Why wouldn't it be that way? Absolutely. Changes and amendments to the Lakes and Rivers Improvement Act.

I would like to go on, but the bottom line is, as the member from Etobicoke mentioned, this is really unnecessary legislation that shouldn't be debated for three or four days; it should be approved.

The Acting Speaker: The member's time is expired. Comments and questions?

Mr Caplan: There was a recurring theme through the four government speakers who spoke to Bill 57, this Government Efficiency Act. I think the last speaker put it very well. This is unnecessary legislation. That's what the last member said. Other members have said that this is innocuous, this doesn't mean anything.

I can tell you, Speaker, that we've seen red tape bill after red tape bill. I'll give you an example of one item that has been in previous red tape bills, where the government decided to change the definitions of "landlord" and "tenant." A legal standing that had existed for centuries was changed under the guise of an administrative change. So, these are not simply easy, minor, technical—

Interjection.

Mr Caplan: Minister of Labour, it's not in this bill. It has been in previous bills, and that's why there is a need to debate these things, to move amendments to them.

In this bill, for example, we had a couple of the members raise the fact that there are some changes to the Tenant Protection Act, which, by the way, was only proclaimed about three years ago. Here's one of the sections which I think you'll find very interesting. It says, "A landlord is entitled to compensation for the use and occupation of a rental unit by a person who is ... an unauthorized occupant of the unit." What does mean? If I'm a tenant in a particular unit and I decide to have a family member, who is not on the lease, maybe a brother or a sister from another province or another city, come and visit, under this section the landlord is entitled to

compensation for that. That's a major change. That's a departure from any government policy.

There's another section: "For the purposes of subsection (3), the carrying out of repairs, maintenance and capital improvements does not constitute harassment or interference with a tenant's reasonable enjoyment of a rental unit." Why is this section in there? That has nothing to do with government efficiency.

The members of the government would have you believe that these are minor, innocuous matters—

The Acting Speaker: The member's time has expired. Comments and questions?

Mr Peter Kormos (Niagara Centre): After the chamber hears from members of the opposition, they're going to be hearing from New Democrats about this. Sure, promoting government efficiency. Like this government's efficiency in managing and supervising the water in Walkerton? Is that what this bill is about? We do have concerns about how many people are going to die as a result of this bill. Quite frankly, very specifically—

Hon Mr Stockwell: Come on, Peter.

Mr Kormos: We've got those concerns about how many people are going to die as a result of what are incredible repeals of significant rights that workers have acquired over the course of years under the Occupational Health and Safety Act.

Sorry, I have a little problem with a government that treats so cavalierly the hard-won rights of working women and men. I'm going to use, during the course of a modest one-hour—our job is not to help the government accelerate and speed up its anti-labour agenda. Far from it. By God—my apologies. I promised not to do that. By goodness, we have no intention of collaborating with this government in helping them pursue their agenda of attacking the trade union movement, attacking working women and men. They think that eliminating the Employment Standards Act and minimum wage laws creates efficiency. I'm afraid to say that there are a few bosses out there who would be inclined to agree with them. They think that increasing the work week to a 60-hour work week is creating efficiency. They think that beating up on working women and men, as they have over the course of the last six years, creates efficiency. Well, I've got news for them. I have no doubt that this government has supporters out there who are advocating this agenda, but I'm telling you that nobody in the New Democratic Party is going to be supporting this agenda. We're going to be doing everything we can to slow it down and fix it.

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Mr John O'Toole (Durham): Earlier this evening I was listening to the remarks by the Minister of Labour saying that in the bill before us tonight based on government efficiency, most of the issues here, as you would know, deal with what we refer to as red tape or barriers that are unnecessary, and a lot of this is generally house-keeping.

I have to go back to Minister Sterling, the Minister of Consumer and Business Services, who is once again demonstrating it's doing the right thing. But the remarks

I really did pay close attention to were those of the member for Simcoe North. He talked about the prosperity that Ontario is going through and has gone through for the last several years since the election of the Mike Harris government. Removing the barriers for people to create their own opportunities and to create their own initiative has to be recognized. Small business is creating, by and large, the vast majority of the number of jobs.

But the pieces of rather routine maintenance of on-going statutes are important. The Speaker would know that there are a number of scheduled amendments in this and I, for one, would like to concentrate on a couple that some attention has been paid to, which would be in paragraph 2, the Certified General Accountants Association of Ontario: "Two or more members of the association may form a limited liability partnership or may continue a partnership as a limited liability partnership within the meaning of the Partnerships Act for the purpose of practising as a certified general accountant." Here is just one more case where small business people saw this as an obstacle, they saw it as a burden, and Minister Sterling has responded.

There's just one final comment, if I may. For the last number of days, the member for Peterborough hasn't had an appropriate opportunity to speak. It's good to see that he's back.

Mr Bradley: One of the concerns we have, of course, about any of this legislation is that there's what we would call a "hostage" in the bill. Some bills look innocuous, members would agree, and then you look carefully through the bill and you find something that is rather controversial. If only that were removed from the bill, probably in this particular case, a bill such as this, what you would find out is the bill would pass quickly. But it's usually what the government really wants. They throw it in with everything else and it's what they want.

Hon Mr Stockwell: What is it? Tell us.

Mr Bradley: Well, you have to wait for my speech a little later on.

The other thing we're worried about is the Red Tape Commission. My friend from Eglinton-Lawrence has a photograph he's going to bring down. I'm not going to hold it up any length of time because that's against the rules of the House, but there is a photograph that he has of Steve Gilchrist, our member from Scarborough, and Frank Sheehan, the former member of what was then called Lincoln, and they are the co-chairs of the Red Tape Commission. That's got to be scary, even for members on the government benches, to see that those two individuals, whose views are pretty far right, would be in charge of dismantling certain pieces of legislation and dismantling certain regulations which were there to protect the environment and health. I would say even the Solicitor General would be shaking a bit at the thought that two people whose views are very, very far to the right—even further than the Solicitor General's—would be in charge of that. That's why we worry. We see who's in charge of the Red Tape Commission and, as I'll outline when I get into my full address this evening, the

Red Tape Commission has far more power than even some government backbenchers would recognize.

The Acting Speaker: The minister has two minutes to respond.

Hon Mr Sterling: I did lead off this debate talking about the need to conserve legislative time for issues that have a higher political significance and make a real difference for the people of Ontario in the hope that bills like this would see some kind of speedier passage than has been the norm for the opposition.

I found that when I was in opposition, I had a greater opportunity to really move forward in terms of making this a better place for debate. I served as the negotiator for our party during many of the standing order changes. We were able to change some things and to improve how this Legislature functions. Unfortunately, when you're on the government side, you have a job to do. You have the responsibility of governing, and therefore you are limited in some ways as to the time constraints that you are under to pass legislation, to get things fixed, to get it actually done and those kinds of things.

So I was disheartened that the opposition perhaps are going to press for three full days of debate and another day on the time allocation motion, because I think that is destructive, as the member for Etobicoke Centre said. It's destructive to not only to us, the government—and sure, you're going to play these up as some major changes in legislation. I don't believe you, but you will say that. In the end it won't make a difference, because the act will pass. But if you do have constructive suggestions, this government will listen if in fact they are put forward with genuine intent.

The Acting Speaker: Further debate?

Mr Mike Colle (Eglinton-Lawrence): I wish to share my time with my colleagues from Sarnia and the garden city, St Catharines. They will share time with me.

Fundamentally, one of the things that we on this side find objectionable about the way this government undertakes such so-called innocuous pieces of legislation is that the public finds out too late sometimes the impact of some of these changes. I'm sure the government probably brought in a team of, who knows, 30 or 40 lawyers and consultants to draft this piece of legislation that will affect the people of Ontario, whether you're driving a car, whether you're in any workplace, workplace insurance. The Ministry of Labour Act is amended. There are dozens and dozens of acts that are affected. The Environmental Assessment Act is changed.

These are acts which may not seem to be impacting on people today, but we've found out in the past that sometimes the most so-called minor changes impact dramatically. In fact, the Canadian Environmental Law Association, commenting on the Red Tape Commission this past year, said that next to the cuts directly to the Ministry of the Environment, the Red Tape Commission probably did more harm to the environmental protection of this province than any other agency.

They did it by stealth. They did it in a way whereby ordinary people, ordinary citizens of Ontario, don't have

the time to go through all the legislation to find out how this impacts their drinking water, how this impacts their safety in the workplace. There's very little opportunity for the people of Ontario. So what happens is this new body that the government has set up, supposedly arm's-length from government, with a defeated ex-member here, Frank Sheehan, and another member, Mr Gilchrist, is now going to be making critical decisions about the future health of this province and of people in all walks of life.

You wonder, do ordinary people ever have input into the Red Tape Commission? What's the process? We know for sure that the motto of the Red Tape Commission is, "Getting government out of the way of business." That's their motto.

Mr Bradley: Just like getting the Ministry of the Environment out of your face.

Mr Colle: That's exactly it. The member says it's just like getting the Ministry of the Environment out of the way because it slows things down. It wants to put in regulations. Of all days, when the government members stand up and talk about getting government out of the way of business or reducing government oversight, they call government oversight and government safety protection "red tape." This is the attitude of this government.

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We saw today that five ministers were given direct warning about a change made in stealth by this government with regard to protecting water in this province which ordinary citizens never had a say over. You can see the dramatic consequences of that so-called red tape change, irregularities in water quality reports to the Ontario chief medical officer of health. That was a change done by this government, and this is the government that says, "Don't worry about these minor changes. That's not going to impact on you. Pass this." They're telling us today, "Just pass this today. Why even debate it?"

Well, we on this side of the House think the public deserves the right to get some information about what's in all these changes. It's difficult enough for the opposition, which is supposed to be the watchdog of the government, to do it. The ordinary citizens who are going to be impacted by the Lakes and Rivers Improvement Act—what kind of input have they got from citizens on that? The Conservation Authorities Act: as you know, this government has cut the conservation authorities' budgets in half. They fired 700 people in the Ministry of the Environment. Who is there to make sure that the citizens of Ontario have those protections if you have a Ministry of the Environment and conservation authorities across this province that are gutted by this government? Who is looking after those interests that belong to the citizens of Ontario? They don't belong to this government. This government thinks they bought the province. You don't own the province. The province is owned by the citizens of this great province. It's not owned by business either.

This should be all about making things more accountable, more transparent for the people of Ontario so they

can understand the checks and balances. This piece of legislation has a lot of technical changes which we don't dispute. What we do dispute is that there is never sufficient warning, advice or conferring done with ordinary citizens to ask them what they think and to explain to citizens what they think these changes are all about. The government unilaterally, with this kangaroo court commission, the duct tape commission, goes around making these changes—

Interjection.

Mr Colle: Yes, the Red Tape Commission. They consult with Red Green, perhaps, to find out how they should manage this province.

Rather than have a commission that works behind closed doors, why don't they bring in people who are affected by these changes, for instance, all the tenants in this province? There are a number of changes affecting tenants in this legislation. I wonder how many days of public meetings they had with ordinary tenants to give their input on how this bill affects their quality of life, their enjoyment of their property.

There is one piece of this legislation that deals with ongoing maintenance work that takes place in rental accommodation and the processes to make sure this goes smoothly for business. We know automatically that this government is not going to make sure that those construction activities, which sometimes go on all night—we had a building in my riding at St Clair and Yonge where for two years they used jackhammers, supposedly retrofitting the balconies in a 30-storey apartment building. The tenants tried to deal with this issue. They were unsuccessful. I wonder whether the change in this legislation is done as a result of the tenants' demands to have some rights in this situation or whether this government follows its directive here: getting government out of the way of business.

If the Red Tape Commission, which is the father or mother, whatever it is, of this legislation—there's the Red Tape Commission: Mr Frank Sheehan, Mr Steve Gilchrist. They are the fathers of this piece of legislation. They said they're here to protect business. What in this legislation and who in the Red Tape Commission are there to protect ordinary citizens of this province? Whether they're people who enjoy our conservation areas across this province, whether they enjoy clean drinking water, whether they enjoy safe highways, who is there on the Red Tape Commission to protect the interests of Ontario citizens? That's the question I'd like the minister to answer. Maybe there's a third person here somewhere to protect citizens. Where is that third person? We know these two who run the Red Tape Commission are here to protect business interests. What about the other 99% of Ontarians, the ordinary taxpaying, law-abiding citizens? Where in this legislation are their protections enhanced?

In the area of workplace safety, they say now inspectors can inspect by phone; they don't have to even show up to inspect the workplace. Did they consult with ordinary workers about this change? Then they say we don't have to have this inspection of biological substances, dangerous chemicals in the workplace. We

don't have to have that inspection done by Ontario any more, because Mr Gilchrist and Mr Sheehan said, "Hey, business says you don't have to do that any more. No more inspection by the Ministry of the Environment of this province."

This fits in with their agenda. Their agenda is about saying that the Ministry of the Environment, which they used to laugh about here for the first three or four years—I remember every time it was, "We've got to get rid of that ministry." They did. Now they're pretending to be green. I even saw the minister on a bicycle today, God help us. They're trying to blank out what they've done systemically in gutting environmental protection in this province for the last six years. They've gutted protections, whether it be in the condition of soil or water or the ability of conservation authorities to have the money to inspect. The Ministry of Natural Resources, which is supposed to be a guardian of protection of our natural wildlife and our ecosystem, our bioregions, has no budget left, basically.

All the protections that are supposed to be there to allow citizens and their children to enjoy this great province are now going to be more compromised, because this government does whatever it can to tilt the balance in favour of their business friends. Ironically, it's usually big business. Small business people are not their friends. They're the ones paying a disproportionate amount of the load in this province.

We can look at another example, which I see no reference to in this bill—again, they delve into act after act after act: the Liquor Licence Act, the Ministry of Consumer and Commercial Relations Act, the Vintners Quality Alliance Act, the Marriage Act, whatever. Some of them may be innocuous, some of them may be good, but some of them may be dangerous, because I don't trust this government after what they've done for six years to safety protection in this province. This is something we have to be very, very skeptical about. So if we in opposition question what is going on here, it's because we've seen this group in action.

This group said they were going to restructure hospitals. They closed down hospitals in reckless, rapid-fire fashion, closed down six emergency rooms in the city of Toronto and said, "Trust us. This is all good for business. It's good for the bottom line, closing all these emergencies." You can see what has happened. After spending hundreds of millions of dollars, they can't put the thing back together again. We have an emergency backlog, we have doctors quitting, we have directors of hospitals quitting all over the place, because this government is reckless and listens only to special interests. It doesn't listen to the sick and the elderly, the ones who now can't get any home care.

It doesn't listen to the ones who can't get any housing. There are 60,000 people in Toronto waiting for affordable housing because this government ravaged tenant protections in this province. It stripped it bare. They've decontrolled, so as soon as an apartment becomes vacant in Ontario now—Ottawa, Toronto—the landlord can raise the rent to whatever he or she wants. So you've had

an affordable apartment, \$800; when that person moves out, 24 hours later it's \$1,200 for the same apartment, no changes. That's happening right across the province.

Another change this government made in tenant protection—and this bill talks about tenant protection, supposedly, and changing the Landlord and Tenant Act. They also, as they do in this bill, get rid of some regulations and they also abolish some acts, saying they are unnecessary.

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One of the acts this government did by stealth is it removed—we had an act passed, I think it was 1987; it might have been a little earlier—the Rental Housing Protection Act, which they repealed in one of their many bills like this. It was an act whereby a developer could not bulldoze an existing affordable rental housing unit or could not convert that existing affordable housing unit into luxury condominiums. That was prohibited by law. This government says, "We listen to business, and they say that it is good to basically bulldoze affordable housing."

What has happened across this province—it is happening certainly in my riding—is the bulldozers are out. They're bulldozing very good affordable housing units, mostly lived in by seniors on fixed incomes.

They didn't listen to the seniors who live in the affordable units; they listened to the big business friends who said, "Oh, this is red tape. Repeal that Rental Housing Protection Act." Repeal they did, because they didn't listen to the tenants. They didn't listen to people with low incomes or fixed incomes; they listened to the Red Tape Commission friends, big business, and they are now bulldozing, at an incredible rate, affordable housing and replacing it with condominiums that are only for those who have significant income, not for ordinary Ontarians who can basically get by on paying their bills.

There's another thing this government is missing in action in, and I was looking all through this legislation—by the way, I thank the minister for his staff. They did give us the opportunity to consult with some staffers. I appreciate the minister did make time available for that. Door to door in this province, whether you're in beautiful Kingsville, whether you're in Aldershot or whether you're in Barry's Bay, there are these friends of Mr Sheehan and Mr Gilchrist going around. They're knocking on doors. They've got these contracts. They want you to sign contracts to give away, to some door-to-door salesperson, their hard-earned money for the so-called new electricity contracts or gas contracts. And the poor citizens of Ontario, especially the seniors and people who don't have English as a first language, don't know what's being sold at the door.

There isn't even a hint of a government interested in protecting those seniors who are signing these contracts. Even if you ask experts in the industry, they don't know what the implications are of signing these five-year contracts from these door-to-door salespeople. They're selling electricity now or selling long-term gas contracts.

This is where the government should be there protecting consumers, protecting citizens, and I'm not even

saying that all these people are there to scam them, because really nobody knows. I'm saying the government should be issuing information directives. They should maybe use some of that \$200 million they use on television advertising to inform people about the pros and cons of signing these long-term energy contracts—not a whisper, no mention—no pamphlets, no television ads, no radio ads, no news conferences.

Today we had, I think, six ministers' news conferences all over the place; scrambling like a bunch of squirrels, news conferences everywhere you looked. Not one of them had a news conference about these door-to-door energy salesmen. You know and the members across know; they're getting the same phone calls we are. What does it mean when we sign these contracts? Interestingly enough, on the back of those contracts, in the fine print, there's one line that says, "You forgo your rebate if you sign the contract."

There is not a mention from this government whether this is something that is recommended, whether it is viable financially for that consumer. The consumer has to make a decision. It is no longer about paying a \$30-a-month gas bill or electricity bill any more. As you know, some of these heating bills have gone up to \$200, \$300. When that person signs that energy bill, they're making a very serious financial commitment. And in this legislation there isn't a hint of any kind of protection for citizens. Businesses, especially big business, usually can hire their own lawyers or lobbyists. I'm sure the lawyers and lobbyists are in to see Mr Sheehan and Mr Gilchrist 24 hours a day.

When will we have a citizens' commission? Never mind the duct tape commission; we want a citizens' commission that will advise the government on how to better protect the citizens. God forbid. Can you imagine that? Can you imagine this government actually having a citizens' commission whereby they would protect the water we drink, they would protect our parks, they would protect our farmland from being swallowed up? There is no citizens' commission, because this government has made its deal with special interests, the ones that can hire the most expensive lobbyists.

As my friend from Aldershot said, "This is the no-fault government." Everything that happens—it happened in Walkerton, it happened to housing, it happens on the highways—wherever it happens, it's never their fault; it's always someone else's fault. That's why the Mike Harris government should be known as the no-fault government. Today we had an example where five ministers had an opportunity to stand up and say, "We made a mistake. We should have listened to the chief medical officer of health." Not one of them stood up and said there was a mistake that one of the five of them made by not protecting citizens' interests when it comes to safety and protection of essential things that people in Ontario have a right to share and to have.

Thank you very much, Mr Speaker. I'll hand it over to my colleague from that beautiful town, the home of that great golfer, Mike Weir.

The Acting Speaker: You are done? I wasn't sure. You said one thing and did another.

Interjection.

The Acting Speaker: Fair enough; thank you for your comments. The Chair now recognizes the member for Sarnia-Lambton.

Ms Caroline Di Cocco (Sarnia-Lambton): Thank you, Speaker. It must been that whole notion of Mike Weir that continued the debate a little further than had been anticipated.

I thank the speaker from Eglinton-Lawrence, my colleague, because he makes some quite astounding observations. They're observations of the reality that is faced day in and day out by the citizens of Ontario. This bill contains more than 120 items from 15 ministry statutes. Now, as has been discussed before, the government members were saying we shouldn't even be debating this bill because it's a routine bill that should just be passed automatically. Unfortunately, I believe that even with the members who have been here before my time, it has been shown that the Harris government has introduced many types of bills like this, but these bills are not what they appear to be. Therefore, I suggest that when the Minister of Labour was saying that we just want to spend time debating bills that are non-relevant, I would like to say they are relevant in the context of spending a lot of time debating.

Unfortunately, you have a government that doesn't want to debate bills, period. They would like to suggest that they know what's best for everyone, without hearing another side of the story, and that seems to be the way they do business. This is an omnibus bill.

Mr Bradley: Ominous.

Ms Di Cocco: An ominous bill? OK, it probably is. The Caledon Institute made some observations about the Harris government and their omnibus bills. In 1995, as the members who were here before know, the Ontario government introduced Bill 26 at that time. I believe it was called the Savings and Restructuring Act. Again, this legislation was far-reaching and it affected, I guess, 47 acts in the Legislature and it was more than 2,000 pages long.

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What I want to say is that the legislation of this genre that the Harris government consistently brings to this Parliament or to this Legislature laid the foundation for many other bills, such as the megacity bill, and this also covered areas of health care, pay equity, municipal affairs, public employees' contract, environmental laws, freedom of information laws. It gave the Minister of Health authority to close and force mergers, and the government was authorized to set up the Health Services Restructuring Commission and all of that. The Minister of Health could eliminate hospital boards, take over hospitals in order to shut them down, merge hospitals and decide on what services would be provided.

So you'll have to excuse us in this part of the House if we question bills that in the past were considered routine bills, there to adjust, housekeeping bills. It has come to

pass, through the track record of the Harris Conservatives, that there's no such thing as a housekeeping bill, because inadvertently—or as my friend from St Catharines suggested, often there are all kinds of little acts put into these bills that at first glance appear not to affect us too much, but then in the end have great implications.

Mr Bradley: They're called hostages.

Ms Di Cocco: You call them hostage bills. Exactly.

I'm going to go back to the initial bill in 1995, because that's where this precedent was set and continued for the next six years until today. The omnibus bill gave huge powers to the minister at that time, and the range of public life the legislation affected was just extraordinary, yet the government made no provision for public hearings.

What isn't talked about a lot is the notion of the omnibus bill in the context of our British parliamentary system. Our system is one in which government has considerable power as long as it can keep a majority in caucus. One of the only real checks on the power of government is the legislative process itself, supposedly requiring even the most ruthless government to submit to parliamentary debate on each legislative initiative. Many Canadian governments have introduced these omnibus bills, and they were careful to ensure that only housekeeping matters were dealt with in such bills, unlike this one. I speak to this fact because your omnibus bills, as started off with Bill 26, are a way for the government to abuse its power. That's how these omnibus bills seem to be used in this Legislature. There are a lot of examples of that.

I have to say that by the traditional rules of the Legislature, my understanding is that many times the omnibus bill should have been ruled inadmissible by the Speaker, especially when it was changing—

Mr Ernie Hardeman (Oxford): Careful now.

Ms Di Cocco: Yes. Look, this is my understanding. The government should have been required to break up that bill into individual components and pass each one separately. I'm saying that in the context of your style of omnibus bills.

This bill, called a government efficiency bill, the Minister of Labour and some of the government caucus members have stated is a reasoned and thoughtful approach to government and this is why we have this government efficiency bill. I would suggest that efficiency, without measuring effectiveness, is driving blind. You just cut for the sake of cuts. Your efficiency and your elimination of red tape, as I have interpreted through your past track record, deal mainly with protecting the interests of business, not protecting the interests of the public. That has been shown over and over again in very specific examples.

I just wanted to speak to this whole issue of trust in this Legislature and your style of bringing legislation forth in such rapid-fire fashion because you don't want the different pieces of legislation to be debated, particularly in this case, when we are amending the health and safety act in a way that I would say is going to undermine health and safety.

This is all I'm going to speak on, the whole issue of your omnibus bills and my interpretation—and others'—of what you have done to the legislative process in introducing these types of bills. Yes, we will debate your bills consistently, even though you tell us they're house-keeping bills, because unfortunately we on this side of the House feel compelled to hold you accountable and to protect the public interest.

The member for St Catharines now will finish the debate on this matter.

Mr Bradley: Thank you very much for the opportunity to address this particular act. I agree with much of what my colleagues have had to say, but let me tell you why, when we talk about red tape, I'm particularly concerned.

I think every government tries to look at the legislation and regulations that are on the books, determine which are outdated and which are not of particular use and try to remove those, as long as they do not adversely impact upon the health and safety of the people of the province, if I can put it in that broad context. This government, however, had a different approach. One of the great concerns is a concern that one of my previous colleagues mentioned, and that is the people who are in charge.

I'm looking at a publication that says, "Canadian Government Executive, a magazine for Canada's public sector decision-makers"; "Ontario's Red Tape Commission," and it has a photograph of Steve Gilchrist and a photograph of Frank Sheehan. I don't think any fair-minded, objective-minded person in this House would consider either one of those individuals to be a moderate when it comes to the role of government in our society. There are some moderates on the government benches; there are some who are much less moderate. In fact, I think the word "zealot," which is certainly permitted in this House, would not be too aggressive a term to describe these two individuals—one now a defeated politician, one an elected politician, though no longer in the cabinet—given this specific responsibility. It says, "Co-chairs Steve Gilchrist and Frank Sheehan getting government out of the way of business."

That's what was so frightening when you look at the testimony taking place at the commission in Walkerton that's looking into the sad tragedy of seven people losing their lives by drinking the water, because there are numerous references made to the Red Tape Commission. Most people in Ontario don't know it exists, but for those who do know it exists, I think a lot of them are beginning to understand just how much power that commission had in terms of advising the government on regulatory, legislative and policy changes which would impact, in my view adversely, on health and safety in this province, all in the name of getting the Ministry of the Environment out of your face, if you will.

That was kind of a promise that was made to some of the people who didn't like the Ministry of the Environment. Some of the government candidates who ran back in 1995 said, "Look, we'll get the Ministry of the Environment

out of your face. Don't worry. We know they're onerous in their regulatory regime. We know some of that legislation is difficult for you. We know their inspectors and other staff can be a nuisance to you, so we'll look after that." Well, I'm going to tell you, that's one promise that was kept: to get the Ministry of the Environment out of polluters' faces. The consequences were dire for this province.

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Just today there was further evidence that came forth that Dr Richard Schabas, who was the director of the public health branch and chief medical officer of health for Ontario, sent a memorandum to Ronald T. Sapsford, assistant deputy minister, institutional branch and community services in the Ministry of Health, where he indicated his great concern about some changes that were being made to legislation and to regulations. The reason I draw that to the House's attention tonight is that those are the kinds of changes that were recommended by the Red Tape Commission.

So when we hear talk of a red tape bill before this House, the government might excuse us if we're just a little concerned that there may be more to the legislation than meets the eye, because Dr Schabas said to the assistant deputy minister in the Ministry of Health the following: "The concern is that there is no legal requirement in MOEE legislation for reporting of adverse drinking water test results from municipal water treatment plant owners/operators to the local medical officer of health, for investigation. In my view, this is a serious oversight. With the transition of financial responsibility for MOEE and local boards of health...during January 1998 and with the private laboratory testing of drinking water from water treatment plants, we need assurances that adverse test results will be sent to the health unit for follow-up activities."

The point I am making and get back to again is that the Red Tape Commission had so much power within government, or at least if it didn't have power in a statutory sense, let's say, it had so much influence in this government that it prompted the government or encouraged the government to weaken legislation and to weaken regulations. That's all in the atmosphere, all within the context of the government wanting to cut as much as possible from every budget in every ministry in order to fund a tax cut which would benefit the wealthiest people in this province the most. So there were two obsessions: one was with having to deliver a tax cut, and the second obsession was with getting government out of your face or reducing the size and influence of government. Those two obsessions had dire consequences for this province. I am suggesting that when opposition members get up to look at legislation of the kind we have before us tonight, it's in that context.

I know some of the testimony that has already taken place at the Walkerton inquiry has made some reference to the Red Tape Commission. For instance, it is discussing the commission's 1997 final report, where environment and labour dominate the report's focus. Yet on the

commission's Web site there is a listing of the commission's successes. We note that in the Red Tape Commission's own listing of "red tape reduction successes," environment and labour are nowhere to be seen, despite the fact they are recognized as the top two areas of focus for the commission. That's rather interesting to see, that while the commission looked at all government agencies, while it looked at all branches of government, while it looked at all ministries, it concentrated on labour and on the environment.

In the testimony, it talks about the final report of the Red Tape Review Commission, January 1997. It is mentioned here, "And in terms of emphasis, we saw there's about 20 pages of this report directed toward the Ministry of the Environment and Energy, which is far in excess of any other ministry. I think the next closest one is the Ministry of Municipal Affairs and Housing, which takes up 12 pages of the report."

The question was asked, "Did you ... have the understanding that the Ministry of the Environment and Energy was singled out or particularly the focus of the Red Tape Review Commission in terms of its efforts?"

Daniel Cayen of the ministry said, "They had identified in that report that the Ministry of Labour was number one and that environmental regulations and so on ... were somewhere down in second place, further down than the Ministry of Labour."

I guess the point I'm making is that they were the targets. Particularly if you look at the Ministry of the Environment and its health responsibilities, because there is a spillover into health, you will see that that's where the target was. I can well recall, when the co-chair of the Red Tape Commission—and I should note this to you while I'm saying it. It was ironic that the Red Tape Commission was announced as being reconstituted on the same day as the Walkerton story was breaking. You would have thought that they had done their damage or, as government members would say, "their job," and now were finished, but no, it was to be reconstituted. A member who had been defeated was put in charge of it, as well as a member who I would say is zealous in his support of the government.

When I look at legislation of the kind that we have before us, I become very worried when I see the devastating effect. I can recall, for instance, that there were officials of the ministry, or the Minister of the Environment himself, who received a letter from my friend Frank Sheehan when he was red tape commissioner, and I think an elected member at that time, suggesting that a prosecution not be proceeded with because—the former minister of the day shakes his head no. I'm trying to remember, and the member for Niagara Centre will recall it for me, I'm sure, when he gives his two-minute intervention later, but there was some suggestion that a letter went suggesting that the Ministry of the Environment not proceed with a court proceeding because in fact the regulation or the policy was going to be changed. That's what I become concerned about. In my view, we've seen what the consequences are. I think when we see the

Premier before the commission in a short period of time it will be rather interesting, but I will be riveted to whatever it is, the computer or the television set, when Dr Schabas is making his testimony before the committee. That will be rather interesting.

I worry when I see the regulatory framework being further weakened. In this bill we're talking about some labour legislation. There are some things in this bill that are innocuous, that nobody in the House is going to object to, but I mention the labour legislation as being of some concern, and if I get a chance, I will get into the specifics of that in just a moment.

We had a lecture from the Minister of Labour, who used to be the Speaker of this House and who is now giving us his views on how the House should operate—very often, in fact—and about how long legislation takes. Indeed, I'm one who believes that where there is genuinely housekeeping legislation, it should proceed expeditiously. We saw a good example of it—actually it wasn't housekeeping legislation but it was legislation where there was concurrence in its desire and its aims. When the Oak Ridges moraine freeze legislation was brought in, the Liberal member for Eglinton-Lawrence got up and suggested that, at the same time, it receive second and third reading. In terms of co-operation from the opposition, I can't think of anything that would be more co-operative, when there is an eagerness to get on with a piece of legislation, than that. But please forgive us if we tend to be somewhat skeptical of other pieces of legislation.

I think of how the environmental approvals act was weakened as a result of Red Tape Commission recommendations, and how the Environmental Assessment Act was weakened by legislation that was brought in to this House. I think of the Sithe Energies project that people in Oakville and Mississauga South are particularly concerned about. It's a proposal for a gas-fired power plant, and they are concerned that there is a proper environmental assessment of this that takes place. I think all would like to see that, if it's going to proceed, it do so within the framework of a proper environmental assessment. The member for Mississauga South has been up in the House with petitions that have been given to her, or to someone else and then directed to her, and read petitions about this and affixed her signature to them.

The problem I see is that the Environmental Assessment Act has been weakened to such an extent that it's sometimes difficult to get a full and wide-ranging environmental assessment of issues of this kind.

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Something else is going on. The government has picked out this term "smart growth." They obviously lifted it from the United States somewhere, because if we look at the growth that has taken place in this province in the last six years in terms of land use planning, it has been virtually disastrous in terms of the fact that we see constant urban sprawl taking place. Although there was a consultation that took place in Thorold today, and it was to be a consultation on the so-called smart growth policy

proposals—the idea is a good idea, to have that consultation—the problem is that the consultation was behind closed doors, so only invited guests could be there. The public was not invited. The local newspaper, which is always assiduous in trying to do its job of reporting on matters of this kind, was barred from being present there. As a result, we couldn't see the free range of opinions that might have been expressed. I think it's important to have that freewheeling discussion take place within the context of a public debate, as opposed to gathering people behind closed doors. Again, it's the opening of the process that I think is important.

I know in this specific piece of legislation that there are many people who have found matters of some concern. A safe work environment, we feel, is a fundamental right for people in this province, and we don't think that should be eroded. In fact, the legislation which is being repealed at this time is not legislation passed by a Liberal government or by an NDP government; rather, it is legislation passed by the Davis administration, a Progressive Conservative government—I used the word “progressive” there—of which my good friend, the member for—Carleton?

Interjection: Lanark-Carleton.

Mr Bradley: —Lanark-Carleton was a member. Obviously, just as he thought the legislation dealing with the Niagara Escarpment Commission plan was good legislation, and I want to give him the credit I always like to give him in the House for the role he played in that regard, indeed, he must have approved of this, because he would have voted for it when it came into the House.

This legislation will quite obviously galvanize the labour movement. It's going to cause some considerable consternation. Now, someone who has a more Machiavellian mind than mine would say that's precisely what the government wanted to do: stir up labour, get labour to take some unusual and perhaps disruptive action, so that the government could then appear to be reasonable and the spokesperson overall for rationality in the province, while others are attacking it. The government does this from time to time: it provokes people.

I can say that representatives of the people in the workplace were not consulted on this bill, nor were their opinions apparently considered before the legislation was drawn up and presented to this House.

Now, under subsection 47(7), as you would know, under the current law, workers have the right to refuse unsafe work. They have the right to have the workplace investigated by a Ministry of Labour inspector. They have the right to be there during the investigation. The new amendment would allow an inspector to investigate over the phone and not at the workplace itself. An inspector could issue a ruling on a hazard without even seeing it.

This is something that isn't embarked upon frivolously. This is a rather important step one takes in calling a stop to whatever activity is taking place in the workplace. Even among employees of a company who are part of a trade union, I can imagine that there's considerable

pressure that the complaint be genuine, or they're not going to proceed with it. The committee person who is on the floor is going to ensure that this is a genuine complaint before there's a work stoppage which is brought about, because everybody is affected by the work stoppage. But the government wants to withdraw this, obviously at the recommendation of the Red Tape Commission.

Right now, the occupational health and safety agency says employers must keep an inventory of hazardous substances in the workplace. They must provide public access to this inventory. Bill 57 repeals this section. This means workers and public health and fire safety officials will be denied access to information on hazardous materials, or at least will have a difficult time getting it. Surely that's something important. That was a step forward, I thought, in occupational health and safety, having people who are informed, because when an incident does happen or when a new substance is brought into a workplace, people have to know how to handle it in routine handling but also in case of emergency.

Under the repeal of section 34, currently employers must notify the director of health and safety if they bring new chemical or biological substances into the workplace. They must provide information about what is in the substance. Bill 57 removes these requirements. Right now, the director can order an assessment of any new substance he or she suspects may be a hazard. Bill 57 would strip the director of that power. That's unfortunate. Again, I think that's a reasonable power for the director to have.

There's repeal of subsection 52(1). Right now, employers must report accidents to the health and safety director within four days. The amended law would require this only if an inspector is notified. Inspectors rarely investigate minor incidents. These incidents will rarely be reported. The director won't know about dangerous workplaces until something major happens. We all know that some of the minor problems that exist can turn into major problems. That's why I'm concerned about that aspect of the bill.

There's a repeal of subsection 57(10). Presently, health and safety inspectors must provide copies of their reports to workers who file complaints. The amended law would only require an inspector to provide this report upon request. So if workers don't know they have the right to the report, they may not request it, if they don't know they have the right to have it. I think that's a disadvantage, because they should have access to that report.

There's a new section called “Codes of Practice.” This would give the power to the deputy minister to accept codes or standards developed by industry representatives as the law of the land simply by saying so. This allows employers to ignore current legislation by following a standard the deputy has accepted, no debate in the Legislature and no assurance of public consultation. Let me tell you that is dangerous as well. If, after this Legislature had considered that, and if, after there had been some

public discussion of it, we saw this appear in a bill, we may not be in favour of it, but we would understand it. In this particular case, that's not going to happen. Again, that's the concentration of power in the hands of an unelected person using a procedure other than a legislative procedure. That is of great concern.

There were some other sections I was reading about a while ago as well that I perhaps will not make reference to but I can remember one reference where there was an onus placed on the worker and the onus at the same time was being taken away from the employer. I can't recall the specific section of it, but it was of great concern to me that that would happen.

You can see that while many parts of this bill might well be innocuous, might well not have a profound effect on the province, it is a bill nevertheless worth canvassing, worth debating, worth having go to committee so that people can make representations on it.

I want to touch on the process. As I say, we were treated to a lecture from the Minister of Labour about how this House should operate. He mentioned that debate of this kind should be shorter, that on what he would consider to be substantive issues the debate should be longer. One of my problems is that this House is seldom in session. I don't think the public realizes this.

The federal House of Commons came into session in the last week of January of this year and sat most of the time until this week. Our Legislature did not come back until April 17. I remember directing a question—or one of our members directing a question—to the Premier, who was in this House on December 20, 2000. The next time we had an opportunity to question the Premier in this House was in fact May 1, 2001. If you said to the average person in Ontario, "Do you think government should be accountable? Do you think ministers and the Premier should be in this Legislature to answer questions for a significant period of the year?" they would say yes.

When the government wants to put its legislation through, one of the solutions is to either stick to the parliamentary calendar or even extend the parliamentary calendar so that we in this House can debate legislation with some degree of authority, some degree of interest and some degree of length.

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The other aspect of our job—I know the member for Renfrew-Nipissing-Pembroke made reference to it the other day, and you'll remember this because you've been in the House awhile, Mr Speaker, sitting in the chair, member for Hamilton West—is that in the intercession, when the House wasn't sitting, you often saw committees sitting pretty extensively, sometimes travelling from community to community in Ontario to hear representations made by the public on pieces of legislation. Then, when the session resumed, the bill was brought back for perhaps committee of the whole or perhaps the committee would sit and pass any amendments. There were often amendments in those days. Finally, the bill would pass the Legislature. That doesn't happen these days very often. We often have either no committee consultations or very brief committee consultations.

A good example, of course, is the committee dealing with the budget bill at the present time, which has within it the tax credit for the purposes of those attending private schools. That is a shortened process. There should have been opportunity for virtually every member of the Legislature to speak on that bill and for very extensive hearings across the province.

I wouldn't recommend that with this bill, to be fair. I wouldn't say you would have to spend a lot of days across the province on this bill, but I do think you would have to have some. The government says, "Well, we are almost forced to bring in time allocation on these issues." My guess is that if we change the rules to make this House meaningful, to have a meaningful opportunity to have input into legislation, we would not encounter these problems.

I know my friend from Hastings wanted to make reference to this bill for a few moments. I would like to share some of my time with him, because he did say that he had a few observations he wanted to make. I would like to turn it over to the member for Prince Edward-Hastings.

Mr Ernie Parsons (Prince Edward-Hastings): I appreciate the comment of the member from St Catharines. I am from beautiful Prince Edward-Hastings, probably the finest riding in the province, or at least tied with the other 102.

I struggle, starting with the very title. Maybe I'm obsessed with titles, but this government refers to efficiency, as they do in the title. The inference to the general public is that this is a government that has worried and has held every nickel and made absolutely certain that everything is done right and to the maximum benefit of the taxpayer. I don't think history has reinforced that over the last few years.

I, with some pride, spent some years with the Ministry of Transportation in this province, a ministry that was the envy literally of North America. I have seen privatization take place within the ministry that concerns me from a financial viewpoint. When the auditor brought forth his first study last year, we saw that in fact the costs of maintaining our roads have gone up 4%, rather than declined.

I see inefficiencies in legislation intended to produce efficiencies when we look at school construction. I represent a riding, Prince Edward-Hastings, but in a previous life chaired a school board that extended from the Bay of Quinte to north of Bancroft. This government said that in order to be efficient, school boards could not construct a new school until all of the space in the current schools was utilized. That would make sense if a school board were operated within a half-mile or a one-mile geographical area. But when a school board is 150 to 200 kilometres and you have a school that is empty at one end of the jurisdiction and a school that is overcrowded and needs additional building at the other end, it simply doesn't make sense as an efficiency to bus the students 250 kilometres each morning and back, not just from the viewpoint of the cost but from the viewpoint of the time the students spend on it.

I would suggest, if the government wants to look at efficiencies, they could tackle and bring in place an Ontarians with Disabilities Act. We are continuing to see new buildings constructed in this province that present barriers to individuals. We are continuing to see new processes put in place that present barriers to Ontarians with disabilities. At the very least, and it really wouldn't be enough, we should have had the promise delivered to have an ODA and stop constructing new barriers and start the process of removing barriers. But no, we still have no Ontarians with Disabilities Act and we are still seeing new barriers constructed that will cost more.

In terms of efficiency, I think we could visit the area of disabilities from the viewpoint that this government funds the March of Dimes to provide access to services required by those who perhaps need access to a building or need a wheelchair. They will fund the modifications to a house if the citizen has lived in it for three years. I guess the three years establishes that they are going to stay for some time and so it is worthwhile investing some money. On the other hand, I've had a number of discussions and contacts with both local constituents and others across the province who have been diagnosed with ALS—Lou Gehrig's disease—a tragic, terrible disease that on average, unfortunately, produces death within about two years of diagnosis. These individuals need a tremendous amount of support. These individuals need access into their own homes. With an average lifespan of two years, the requirement that they be in a house for three years before they will get financial support toward a ramp becomes rather ridiculous and actually hurtful to the individuals.

The government, I believe, needs to practise what it preaches. There are things that need improved efficiencies, not necessarily in what is perceived as red tape, but we need improved efficiencies in the services this province delivers to its citizens. We are a long way from efficient if we simply look at the chaos that exists in virtually every sector of health care right now. It is rather difficult for me to get concerned over red tape efficiencies when we have citizens in this province not being served to the degree or in the manner to which they are entitled.

The Acting Speaker: It is now time for questions and comments.

Mr Kormos: In around nine minutes' time, I get to talk to the bill. I'm going to talk about the incredible and unprecedented attack on workers' health and safety rights, because buried in this omnibus bill are a few dirty little secrets of this government, ones that they were trying to slip through. Well, they were; they were trying to slip it through.

I have some real problems with getting lectures from people over on that side about how, "Oh, the opposition should just roll over and let us do these things," because if there weren't an opposition here, schedule I of this bill would have been law days ago and it never would have been exposed. The only way we would have learned about schedule I in this bill is as a result of the bloodied

and battered bodies of dead workers, because schedule I is a direct attack, it's a repeal, of some hard-fought, hard-won workers' rights to have some control over the safety of the workplace. The purpose of those rights, rights that workers fought for over the course of decades, was to reduce the bloodshed in the workplace. It's the opposition job to identify elements of bills like Bill 57 that do the things that schedule I do.

I make no apologies for speaking to this bill for the full hour allotted to me, and my colleagues in the New Democratic Party make no apologies for standing in their turn and condemning this bill as well, because it's a nasty bit of work that's going to have some pretty tragic consequences across the province. Some government backbenchers had better read the bill and get tuned in to that fact, or else they're going to be as culpable as the minister.

Mr Dave Levac (Brant): I want to start by complimenting the members for Sarnia-Lambton, Eglinton-Lawrence, St Catharines and Prince Edward-Hastings, who always bring up to us the points that need to be discussed in this House and make sure that the people of Ontario understand that there are nuances in the type of legislation that's being put before us.

In Bill 57, what we have to do is remember that to classify something as red tape and simply to bring up or conjure up a connotation that anything with the words "red tape" attached to it must be absolutely useless and that we're removing this bane on the legislative process and the fact that it's handcuffing everybody and it's causing this problem in our province is more of a sell job than it is of good legislation that says to us, "Are we actually getting rid of legislation? Is it effective? Are we providing good safety to the people of Ontario?"

2100

I had an opportunity to speak at committee today to some people who came to us for a bill that would actually add more legislation and more red tape to our legislative process, and everyone around the table said, "Yes, we need it." So the connotation that's being applied by this red tape talk is unfortunate. I would say very respectfully to everyone, let's stop and make sure we understand clearly, and then ask, after we analyze all the nuances of these pieces of legislation we're putting forward, does it affect our citizens? If it affects our citizens in a negative way—as Maslow tells us, we're supposed to go to this basic human need first, our safety and our security—and all the things we hold dear in this province, then we had better not be changing that legislation. As a matter of fact, we should be improving that legislation to make sure our people's needs are taken care of completely.

Mr O'Toole: It is respectful to acknowledge the members of the opposition who have spoken: the members from Sarnia-Lambton, St Catharines and Prince Edward-Hastings. It's important that this debate be responded to in that respect. I would like to think, however, that there were more specific observations on a bill that covers a number of statutes under the innocuous terms of a number of amendments that, in our view, remove

barriers to opportunities for both individuals—in many cases, this, under the Environmental Protection Act that was mentioned before, allows third-party intervention and for those people making accusations to be questioned. Who in Ontario wouldn't want that exact, same thing to happen?

It appears the opposition always tries to think in a conspiracy theory in terms doing the right thing. I hope, in honesty, that they're trying to make genuine comments with respect to the number of amendments Minister Sterling has brought forward under Bill 57, An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts. As I said before, there are several sections in here that I've looked at that do affect such things as the Ontario College of Teachers Act, 1996. The amendments will permit persons who are not members of the investigation committee, discipline committee, registration appeals committee or finance committee—in fact, these people will now be eligible to register complaints. Other persons could be appointed to the roster by the Lieutenant Governor in Council.

These kinds of changes are more administrative in nature, and the opposition should make specific references to where they would like to see amendments.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I just want to comment briefly on the comments of some my colleagues with respect to the Red Tape Commission.

Let me say at the outset that it's hard to be motivated to attack something called the Government Efficiency Act. It's hard to imagine that any fair-minded person would want to be opposed to that. But as my friend Bradley rightly observes, any time you see Frank Sheehan out doing missionary work for the public good, I think you have a right to say, "I wonder what's going on there."

Increasingly, government is becoming like water polo: it's what goes on underneath the waterline. There is an interesting story in one of these New York Times I've been reading: "US Senate shifts so the lobbyists must shift with it." The devil is always in the details. When I look at things like the Occupational Health and Safety Act, when I look at things like the Electricity Act, let me tell you, I'm much less concerned about the bromides that might be contained in the purpose clauses; I really want to see the details.

I suspect that much of Bill 57 has been written downtown. I won't mention the law firms that come to mind, but this will have been carefully worked over by the lobbyists and the lawyers. They're not going to be there on behalf of people in the social housing units of downtown Toronto or in Thunder Bay. I suspect big money is going to be very interested in the detail, in the clauses and the subclauses, and this Legislature will have long dispensed with this before we understand what some of those details were. Again, as someone said here earlier today, we saw today an exchange in question period about the downstream consequences that often attach to efficiency in government. Ultimately, those chickens do

come home. My question to my friends opposite: anybody ever going to accept any responsibility?

The Acting Speaker (Mr David Christopherson): It is now time for one of the original four speakers to respond for up to two minutes. The Chair recognizes the member for Prince Edward-Hastings.

Mr Parsons: On behalf of those of us within the Liberal caucus who spoke, I would thank the members for Niagara Centre, Brant, Durham and Renfrew-Nipissing-Pembroke for their comments.

This is indeed a complex act. We looked at it and we have 95 pages of changes. One of the disheartening things I'm sure all members on both sides of the House face is when we knock on doors during the election or in between and individuals answer and say, "I don't vote." They feel so distanced from government that they just do not feel they have a part of it, they have any role in it and there's any need for them to vote.

This type of bill contributes, I think, to that cynicism. For a citizen in this province who is interested in what happens in the Legislature and were to ask me to give them a quick run-through of Bill 57 and what it would do to affect their life, I'd have to say, "Well, we've got about 37 different acts that are changed here, and really you can't read this bill in isolation. You need to have the act itself. And there is no simple little explanation or summary as to exactly what this change means. So if you want to know what Bill 57 is, we probably need to sit down for a couple of hours and run through it if it might have an area that particularly affects you."

For a citizen of this province, this is a bill that becomes rather meaningless to them. They have to rely on a certain faith and trust that the bill does in fact benefit the life of the majority of Ontario residents. But for them this is another stone that causes the wall to be built between them and their elected government. When we see the numbers that vote in a provincial election, when we see slightly over half, and we think of the cost that was paid for people to vote in the election, I would suggest that as parliamentarians here we would be far better off to separate bills so that not only can we deal with them much more specifically but the general public would have an opportunity to understand what it is and what is going to be done to change their life.

The Acting Speaker: Further debate?

Mr Kormos: Once again, I'm going to be short-circuited a little bit; I've only got 20 minutes tonight. I'm going to have to do the balance of this tomorrow.

Last night, over at St John the Baptist Hungarian Greek Catholic church—that's its name—they had their feast day. They had their service at 4:30 and then their dinner at 6:30. I was there and I was with the mayor, Cindy Forster. The place was packed; this was the basement of St John the Baptist church. These are folks primarily from the Hungarian Canadian community in Welland and surrounding—people come from Courtland, Delhi, out where there's a big Hungarian community, and from Hamilton, and priests from Buffalo, New York. I was impressed, I suppose, at the number of people who made comments on watching us here in the chamber.

Let me tell you, I would be letting those people down—I know this—I'd be disappointing those folks and I'd be letting them down if I weren't standing here raising alarm bells about Bill 57. That's what they expect of their member of provincial Parliament, that's what they deserve of their member of the Legislative Assembly. They would resent the suggestion from any government member that their member of the provincial Parliament somehow would say, "Oh, we'll agree to let this pass. We'll approve your legislation. We won't subject it to scrutiny. We won't be critical of it." Folks down where I come from would be as mad as people could get if their MPP was doing that here in this Legislative Assembly.

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Earlier today, I had to withdraw. I wanted to explain it, but I didn't have a whole lot of time. I used the phrase "tinker's dam." The table clerks might understand. I want you to understand very carefully, there's some mixed references about the origins of that phrase. The one that is far more rational and logical is that "tinker's dam" is a reference—please, folks, people got all excited earlier today—to the tinkers who used to travel in the countryside retinning pots that had worn through. What they did when they melted the tin to fill a hole is they would make a dam of moistened bread and use that—you know, when you pour concrete, you'll put your two-by-fours and your two-by-sixes or two-by-eights, the framework for the footing—as the little dam for the tin. So, you see, a tinker's dam isn't very effective, because the bread wasn't very firm, didn't work very well as a dam, and the repair to that pot wasn't very good, hence "tinker's dam."

Mr Bradley: You learn something new every day.

Mr Kormos: I explain that to you because I don't want to be called to order again when I tell you, Speaker, that this government clearly doesn't give a tinker's dam about the health and safety of workers in Ontario's workplaces. Let's make it quite clear, because the government has made it incredibly clear—the Premier has made it incredibly clear, the Minister of Labour has made it exceptionally clear—this government doesn't like working women and men. It despises trade unions. It has nothing but disdain and disregard for the poorest workers. Then, of course, we move on to its attitude toward the unemployed and the jobless. Bill 57 is as much an illustration of that as all of the incredibly nasty things that have been done to working folks in this province over the course of the last six years.

The fact is that workers in this province over the last six years have seen the gains that they've made, not over a matter of mere years, but over the course, once again, of decades—workers went to jail to win some of the modest rights that workers in this province have now. They organized; they fought. No government sat down and said, "Oh, well, let's give workers some health and safety legislation today to make their lives a little safer in the workplace." Workers had to fight for it. No boss, no corporation said, "Oh, let's make our workplace safer for workers." It didn't happen that way. Workers had to fight for it.

Even today, hundreds of workers are killed and injured every year in this province, aren't they? You, Speaker, would know that as intimately as anybody could, because, let me tell you, those working women and men out there understand it. They know it because they live it. They live the deaths and the injuries and the diseases. The Occupational Health and Safety Act is something that workers fought for and something that workers are going to fight to keep.

The suggestion that somehow schedule I of this bill is just a little bit of fine-tuning or tweaking or tinkering is outright fraudulent; it is. It's not just a bad joke. Workers' health, workers' safety, workers' physical well-being are going to be put at risk.

The other question that has to be asked is exactly what motivates schedule I, the changes to the Occupational Health and Safety Act. In fact, to whom is the government responding? Who initiated these changes to the Occupational Health and Safety Act? From what quarters? Just exactly who was whispering in Frank Sheehan's ear? Who are Messrs Sheehan and Gilchrist cozying up to? Who's giving them the marching orders?

Mr Bradley: You have to go to the fundraisers to find out.

Mr Kormos: We look at the motivation and the source. Let's understand something: we know this government, we know its personality, we know its character, we know its motivation as well as anybody could. Efficiency? You guys think that this province would be much more efficient if you just abolished the Employment Standards Act.

Mr Bradley: Don't give them the idea.

Mr Kormos: They're on their way. A 60-hour workweek? The workweek was one of the fundamental, critical foundation blocks of employment standards. These guys are well on their way. The Employment Standards Act is directly under attack, has been and will continue to be. This government has no doubt that eliminating minimum wage laws would make Ontario far more efficient, and it has demonstrated that by its failure, its refusal, its adamant positioning in opposition to even the most modest of increases in minimum wage for the poorest workers in this province.

I told you before, it doesn't like working people and despises the poorest of working people. The proof is in this government's history. This government, to be fair, is incredibly transparent. For six years now, the poorest workers in this province haven't seen a single penny of increase in their wages, not a penny. That's from a government that wanted to increase their own wages by 42% not that long ago, yet won't even consider increasing the wages of the lowest-paid workers in this province. This government won't even consider addressing the fact that the minimum wage has, over the course of the last six years, declined to the point where this government has lowered the wages of the lowest-paid workers in the province.

You should know, Speaker—I'm going to tell you now—that the Ontario Federation of Labour has made its assessment of schedule I and is taking a very militant,

strong stand in opposition to it. No, this isn't going to be a matter, I say to the Minister of Labour, of, oh, just giving token debate to this, chatting around it for a few minutes, and then letting it move on to third reading. It would be a cold day in Hades before that was going to happen. The opposition have a responsibility to reveal what's in this bill, to expose this government's motives and to do everything that it can to help working people, because it's working people who are going to be whacked by this bill, it's working people who are going to suffer, it's working people who are going to be injured, it's working people who are going to suffer diseases and who are going to die as a result of this bill.

It has nothing to do with government efficiency; least of all does it have anything to do with improving services to the taxpayer. It has everything to do, I suppose, with what happened in Quebec City a few weeks ago: the summit, free trade, freer trade, globalization, get rid of barriers. Getting rid of barriers more often than not means getting rid of the standards and regulations that protect workers and other members of the community from corporate greed. We know who's writing some of the marching orders; we just don't know who's whispering in the ears of Messrs Gilchrist and Sheehan.

I can tell you that the Ontario Federation of Labour over the course of the latter part of last week, with its executive board, has made it very clear—it was unanimous. The Ontario Federation of Labour's executive board was unanimous here in the province of Ontario that it will take direct action in workplaces where workers are at risk because of this government's Bill 57 and schedule I, which would gut the right to refuse unsafe work and remove workers' and communities' right to know what hazardous chemicals are being used in workplaces across Ontario. That little bit of work hasn't been spoken to yet, but I tell you I will.

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The Ontario Federation of Labour is also going to work to organize and develop a province-wide coalition to fight to undo the damage Mike Harris, the Premier of this province, and his team—his gang—have done to hospitals, schools and many programs—I'm reading directly from their announcement—and to laws required to protect workers, including changes of the workweek from 44 to 60 hours. There will be a strategy developed and presented to unions in July 2001 encouraging them to endorse province-wide actions.

Wayne Samuelson, the president of the Ontario federation, has made it quite clear that he understands this government only talks to corporate bosses. This government doesn't talk to workers. You wouldn't talk to them around Bill 58, would you? You wouldn't talk to paramedics, who were knocking on your door asking to please have a few minutes of your time. You slam the door in workers' faces, and then you hide behind your scripted speeches in an effort to explain away why you as backbenchers would be a party to some of the most vicious legislation this province has ever seen and, quite frankly, some of the most vicious legislation that could

ever have been enacted, legislation that exposes workers to more injuries, more deaths, more diseases.

The Canadian Union of Public Employees: its president, Sid Ryan, and secretary-treasurer, Brian O'Keefe, have made it very clear where CUPE stands with respect to schedule I of this bill. Brian O'Keefe and Sid Ryan of CUPE have made it quite clear that they're going to do everything they can to defeat the repeal of the Occupational Health and Safety Act provisions that are effected by Bill 57.

The government members say, "Oh, this is nothing. This is just fluff." Not likely. Perhaps some brave government member, some bold government member, some thoughtful government member—all oxymorons where I come from—perhaps one of those backbenchers would stand and explain some of the real gems, Kormos says sarcastically, in schedule I.

One of the really fascinating things is—this is the amendment—that where an inspector makes an order in writing, the owner, constructor, licensee etc shall post a copy in the workplace. That's after a complaint, presumably by an employee. But the amendment changes the law to this extent and makes it very clear that if the order or report the inspector made that the employer has to post on the wall results from a complaint of a contravention of the Occupational Health and Safety Act, the person who made the complaint only gets a copy of the order if he or she requests it. This is eliminating red tape? You see what it does? If the employer does not comply with the law requiring the order to be posted, the person who made the complaint will never know that an order was made, and there's no provision that the person who made the complaint will have to be advised. If you want to find out what order was made, you've got to request it, and the person who made the complaint will never find out about the order because the boss, if he doesn't want to abide by the law, doesn't post the order on the wall.

So it's a slick little bit of work, isn't it? It's an open door. An open door? You can drive a Mack truck through that loophole.

What this does is protect bosses; it protects employers who don't feel necessarily obliged, notwithstanding the law, to post the orders made by an inspector, and there's no way that anybody will catch out the employer because the complainant doesn't know that the order has been made because the complainant only gets a copy of the order if they request it, and there's nobody to tell that complainant that they're entitled to a copy of the order if they request it.

If the government's going to require a boss to post the order on the wall, why wouldn't the government simply require the same inspector to deliver a copy, by mail, a 48- or 49-cent stamp, or whatever it happens to be, to the complainant? Is that a particularly difficult thing to do, or is that the kind of red tape that you're saying makes it impossible to do business here in the province of Ontario? That the government should notify the complainant by virtue of statute what the result was of that person's complaint—is that an unreasonable request? Or is what's

really unreasonable what's contained in the law which protects an employer who will present himself as a scofflaw, as a bad boss, and who will not want to post the order made by an inspector?

This government has made every effort to trivialize that portion of this bill which will shut the door on mandatory on-site inspections by inspectors when there has been a workplace refusal on the basis of unsafe work. It has been said, and it warrants being said again, that nothing could be more profound for a worker than for that worker to tell his or her boss, "I'm not going to do that job because it's a dangerous job, it's not safe and I want you to call in the inspector." No worker ever makes that allegation or takes that position lightly. Understand that. There's the fear of repercussions. Indeed, I will bet the bank right now, Speaker, that you and I could go out to any number of workplaces tomorrow and find more workers doing unsafe work, incredibly more workers doing unsafe work, because of their fear of losing their job and their unfamiliarity with their rights, all the more prevalent in a non-union workplace. We could find an incredible multiple of more workers doing unsafe jobs than we would the rare worker who is refusing to do an unsafe job. You know as well as I do that the vast, vast, vast majority of refusals to work have a sound foundation to them.

This government talks about, oh, it's going to embark on an ad campaign, because we're entering the summer season, where students will start getting into workplaces,

those few students lucky enough to get a summer job, and it's going to embark on an ad campaign to make the workplace safer for students. Yet at the same time that it's saying that, it's going to tell students what their rights are; at the same time that it's saying that, it's eliminating those workers' right to refuse unsafe work in the workplace and, more importantly, most importantly, most significantly, to require that there be an on-site inspection.

There is not a single section, there's not a single clause, there's not a single paragraph of this bill devoted to telling inspectors under what circumstances they will or will not attend a workplace to conduct an inspection. It's entirely discretionary on the part of the inspector.

I tell you, that that leads to several clear inferences, one, that this bill, Bill 57, and its assault on workers, workplace health and safety rights and its imposition now on health and safety inspectors of the requirement that they can, exercising their discretion, whimsically refuse to attend a workplace—that among other things we should be concerned about is the fact that that this is part of the whole privatization agenda of this government, and people who don't understand that are simply not paying attention or simply don't care. Having said that, Speaker, I adjourn the debate.

The Acting Speaker: It now being 9:30, this House stands adjourned until 1:30 Tuesday afternoon.

The House adjourned at 2130.

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Tuesday 12 June 2001

Mardi 12 juin 2001

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Président
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 12 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 12 juin 2001

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

GOVERNMENT'S RECORD

Mr Alvin Curling (Scarborough-Rouge River):

Each day when we sit in this House, we are constantly reminded of the ferocious attack on the people of Ontario by the Mike Harris government. In six years the Mike Harris government has consistently attacked the poor, the working families, organized labour and the most vulnerable in our society, our children. The Mike Harris government has undermined the democratic structure and the fabric of Canadian society, and it is evident.

In a democratic society it is a responsibility of the government to protect those vulnerable people. Let's take a look at what Mike Harris and his government have done to those individuals and what has happened in those six years. For their first act, welfare recipients were attacked, with 25% slashed from their income as they arrived. The attacks continue on and on. Today we read in the paper that, of course, they would be subject to a literacy test. Let's just remind them that 33% of all people in Ontario are functionally illiterate. I hope we do a literacy test here sometime to see if our members deserve their pay.

The omnibus bill that came in: we can remind them that no discussion, no debate whatsoever was happening here. Most of the legislation here has had no process of any consultation. Then we ask the Mike Harris government how democratic they can be. They should be ashamed of themselves and the way they conduct themselves in a democratic society.

CANADIAN BASEBALL HALL OF FAME AND MUSEUM

Mr Bert Johnson (Perth-Middlesex): The sky may be falling in Scarborough-Rouge River, but today I rise to promote one of Ontario's greatest tourist attractions, the Canadian Baseball Hall of Fame and Museum in St Marys. In 1838 Adam Ford, an early settler and former mayor of St Marys, chronicled a game being played in Beachville, Ontario. He later organized a league in St Marys to advance this new game called baseball.

Since the Canadian Baseball Hall of Fame and Museum opened in 1983, it has inducted almost 50 people, including great players, builders and key contributors to the game of baseball, including Ferguson Jenkins, Lester B. Pearson and Jim Fanning. On Friday, June 22, the hall of fame will host its fifth annual celebrity golf tournament in St Marys, followed by the induction ceremony on Saturday. This year the hall of fame will induct former Montreal Expo Gary Carter and former Toronto Blue Jay Dave McKay.

Over the years, the baseball hall of fame has helped to promote the growth of baseball in Canada at every level, from pee-wee and slo-pitch to high school and women's softball leagues. I want to congratulate the many volunteers who have worked tirelessly to bring the field of dreams to life in St Marys. I would encourage my colleagues to visit our national shrine for baseball, the Canadian Baseball Hall of Fame and Museum in St Marys, Ontario.

DIALYSIS

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): Today I'd like to tell you about a courageous woman who pickets my office every Friday, namely Lynn Bruyere. For the past 10 months, Lynn has been travelling three times a week to Brockville and Kingston for life-saving dialysis treatment. Every Monday, Wednesday and Friday, Lynn's husband or family drives her to Brockville or Kingston for the treatment. Her husband has to work nights so that he can be with her for the treatment.

After four hours of dialysis treatment, Lynn travels back to her home, regardless of the weather. They have no choice. On treatment day, Lynn does not see her family until 7 pm, after the long day of treatment.

The government refused to provide additional funding for the Cornwall dialysis clinic. It's taken a toll on the patients. Eighteen patients are still travelling; one of these is 76 years old. I'm not sure if the government understands what these people are going through and are forced to cope with.

I have written to the Minister of Health several times over the past two months and have spoken about this desperate situation. I still have not received an answer. The whole situation is unacceptable, especially when a proposal is on the table that would substantially reduce the waiting list for the Cornwall area. I have called on the government to implement this proposal immediately. It

would not cost an extra penny to the government if they implemented this proposal.

CHILDREN'S MENTAL HEALTH SERVICES

Mr Peter Kormos (Niagara Centre): The region of Niagara is historically underserved in acute care mental health beds, and very specifically so when it comes to children's mental health beds and residential assistance. This government's health restructuring commission allocated some few new beds for children's mental health services to Niagara, but they put the beds in Hamilton. I want the Minister of Health to understand very, very clearly that Hamilton is not Niagara, and Niagara is not Hamilton.

Historically, Niagara children and other psychiatric and mental health patients have had a hard time accessing the few beds available to them in Hamilton. They're going to have compounded difficulty accessing these new beds. Niagara health services, a creature of this government by virtue of its imposition of so-called restructuring—mega-hospital boarding—on Niagara is clearly out of touch with what's happening on the ground, across the board in Niagara when it comes to delivery of health care services. Their firing of Dr Abraham, which I reported to this Legislature yesterday, is an indication of that. The inability of Niagara health services—quite frankly, their collaboration with this government in denying Niagara the children's mental health beds that are allocated to Niagara is a further example of that.

I'm calling upon this minister to begin investigating what's been going on there, to call for the reinstatement of Dr Abraham and to support Niagara people in ensuring that those mental health beds go to Niagara where they belong.

EDUCATION TAX CREDIT

Mr Wayne Wettlaufer (Kitchener Centre): More letters of support are being sent to my constituency office in Kitchener Centre supporting the initiative this government took to help parents who choose to send their children to independent schools. I would like to read two more letters, one being from Dan and Bettina Cook:

"Dear Wayne Wettlaufer:

"Just a short note to thank you for the long-awaited tax credit plan for families with children in independent schools.

"We have two children in a Christian school here in Waterloo, and this will definitely help us with the tuition.

"Sincerely,

"Dan and Bettina Cook."

The following letter is from Danette and Rick Wirth:

"Dear Wayne Wettlaufer,

"My husband and I are parents of two boys, age seven and 11, who attend a Lutheran school in Kitchener. I would like to take this opportunity to thank you for

providing the tax credit for parents of children attending independent schools. We are both middle-class working parents, and sending our children to an independent school has been a financial sacrifice but one that is well worth it.

"Both of our children have thrived at this school. As well as learning the fundamentals such as reading, writing and math, they are learning about God and about being Christian. They are learning the same values at school that are being taught at home and at church. This is a very important factor in our lives.

"We believe that all parents should have the right to send their child to a school that would benefit their child and family the most. Thank you for recognizing the responsibility the government has for all the children in the province.

"Yours sincerely,

"Danette and Rick Wirth."

Parents in my riding and throughout Ontario appreciate the fact that we are thinking about all the children in Ontario and not only those who go to Catholic or public schools. I continue to believe that this initiative by our government will finally help to—

The Deputy Speaker (Mr Michael A. Brown): Thank you.

PHILIPPINES INDEPENDENCE DAY

Mr Tony Ruprecht (Davenport): I rise on behalf of Dalton McGuinty and the Liberal caucus to recognize an important date that took place in the history of mankind in 1898: Philippines Independence Day. As we raise the colours of the Philippine flag and its stars and the sun, we are reminded of two things: one, the great sacrifices the Filipino nation made in those dark days. We remember the death march of April 9, 1942, we remember Corregidor and the fall thereof, we remember the tyrannies and the dictatorships.

But there's another reason we celebrate this important event today, and that is the great contribution that Filipino-Canadians have made to this great society. So, today, while members can see the flag flying in front of Queen's Park, I'm reminded as well that we have some distinguished members here who are helping us celebrate this important event. They are Edgar Badajos, vice-consul of the Philippine republic, Monina Lim-Serrano, president of the Filipino-Canadian association, and, of course, many of the veterans. We owe them a great deal of gratitude. So I say to them in Tagalog: Mabuhay ang Pilipinas. Mabuhay ang Republika ng Pilipinas. Mabuhay, Mr Speaker.

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CHILD PROTECTION KITS

Mr Doug Galt (Northumberland): I rise in the House today to recognize the combined efforts of the Campbellford Lodge, No 248, Grand Lodge of Ontario, the Independent Order of Oddfellows, the Loch

Lommond Rebekah Lodge, the Northumberland detachment of the OPP and the local school boards for their work in completing child identification kits. Since the spring of 1999, these groups have fingerprinted and collected DNA samples of approximately 1,700 children at St Mary's, Hillcrest and Kent schools in Campbellford, Percy Centennial school in Warkworth and Hastings elementary school in Hastings, at fairs and other local events.

These kits can play an important role, as accurately recorded information can assist authorities to respond quickly to a fire, medical or missing child emergency. These kits contain important information such as photos, DNA and hair samples, the parents' and doctors' names and addresses, the child's route taken to and from school, the playground location and the names and addresses of five of their friends.

I commend the Campbellford Lodge, No 248, the Loch Lommond Rebekah Lodge, the Northumberland detachment of the OPP and the local school boards for the initiative taken in ensuring the safety and well-being of the children in Campbellford, Warkworth and Hastings. I hope that perhaps other communities will follow their lead with regard to child safety.

EDUCATION FUNDING

Mr Joseph Cordiano (York South-Weston): I take this opportunity to commend the dedicated teachers and principal of Nelson A. Boylen Collegiate Institute in my riding of York South-Weston. Their work helping needy students overcome economic barriers is nothing short of outstanding.

Nelson A. Boylen has been identified as one of the neediest schools in the Toronto District School Board, as determined by the Inner-City Index. And yet, as an article by Louise Brown points out, "Against all odds the spirit at this school crackles with hope."

The student population at the school is very diverse. One third of the students are newcomers to Canada and face countless socio-economic hurdles to their education.

The school board has done what it can by providing nutrition programs, afterschool homework groups and computer labs. But the chronic underfunding this government has perpetrated on the school board is now hitting home and those programs have had to be cut.

What this government is doing to public education is now clear. The one great equalizer in our society, public education, is now being eliminated. It's a reversal of immense proportions, unprecedented in our country's history. It's a real shame, because what this government is doing is establishing a society that is now divided along socio-economic lines. In those areas where they can afford it, schools pay for additional things. In other neighbourhoods where they can't, such as in the Nelson A. Boylen neighbourhood, kids are falling behind through no fault of their own, and that's a shame on you, government.

EVENTS IN DURHAM

Mr John O'Toole (Durham): I'm pleased to rise in the House today to tell about a great family event that my colleague and MPP, Jerry Ouellette from Oshawa, arranged this past weekend.

On a gorgeous Saturday afternoon in Kendal, which is a small town in my riding of Durham, at the Kendal Hills Game Preserve, we held a kids' fishing day. I was very impressed with the number of young people and their parents who came out to enjoy a day of camaraderie and fun while learning about the outdoors, nature and the wilderness.

I would like to thank some of the following people, without whose assistance this would not have been possible: Norm Monaghan of the Ontario Anglers and Hunters, Rick Thompson, Glen Anderson and Vern Mason, just to name a few. Thank you, gentlemen, for your donation of time and experience for our young people in Durham.

A big thanks will also go to Big Brothers and Sisters of Clarington and their directors, Jenny Walhout and Ellie McMaster, for their efforts in helping to organize a fun day. I'd also like to thank the leaders of the scouts, cubs and beaver troops who attended and participated in a wonderful event. Along with members from the Simcoe Hall Settlement House, there were 300 or 400 young people involved in the great outdoors with their family and friends, having fun enjoying nature.

With time left, I should remind you that this weekend in Clarington, in Durham, is a big event: the Orono town bands will be performing in Orono on the 15th and 16th; the village of Newcastle will have the Massey show on the weekend; and Catch the Spirit, in Tyrone.

ANNUAL REPORT, INFORMATION AND PRIVACY COMMISSIONER

The Deputy Speaker (Mr Michael A. Brown): I beg to inform the House that I have today laid upon the table the 2000 annual report of the Information and Privacy Commissioner of Ontario.

Mrs Marie Bountrogianni (Hamilton Mountain): On a point of order, Mr Speaker: I rise in the House today to seek the support of this House for unanimous consent to pass Bill 53 through second reading. It's the act requiring the disclosure of payments to former public sector employees arising from the termination of their employment. Before the House prorogued, it had passed second reading and was referred to the standing committee on general government. I ask for unanimous consent for it to reach the same stage.

The Deputy Speaker: The member for Hamilton Mountain has asked for unanimous consent to pass Bill 53 through second reading. Agreed? No, not agreed.

INTRODUCTION OF BILLS

1252563 ONTARIO LIMITED ACT, 2001

Mr Marchese moved first reading of the following bill:
Bill Pr16, An Act to revive 1252563 Ontario Limited.

The Deputy Speaker (Mr Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

STABILITY AND EXCELLENCE IN EDUCATION ACT, 2001

LOI DE 2001 SUR LA STABILITÉ ET L'EXCELLENCE EN ÉDUCATION

Mrs Ecker moved first reading of the following bill:

Bill 80, An Act to promote a stable learning environment and support teacher excellence / Projet de loi 80, Loi favorisant la stabilité du milieu de l'enseignement et soutenant l'excellence des enseignants.

The Deputy Speaker (Mr Michael A. Brown): Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1348 to 1353.

The Deputy Speaker: All those in favour will rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted
Baird, John R.
Barrett, Toby
Beaubien, Marcel
Chudleigh, Ted
Clark, Brad
Cunningham, Dianne
DeFaria, Carl
Ecker, Janet
Galt, Doug
Gilchrist, Steve
Gill, Raminder
Guzzo, Garry J.
Hardeman, Ernie
Harris, Michael D.

Hastings, John
Hodgson, Chris
Jackson, Cameron
Johns, Helen
Johnson, Bert
Kells, Morley
Klees, Frank
Marland, Margaret
Maves, Bart
Miller, Norm
Molinari, Tina R.
Munro, Julia
Murdoch, Bill
Mushinski, Marilyn
O'Toole, John

Ouellette, Jerry J.
Sampson, Rob
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tsubouchi, David H.
Tumbull, David
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

Christopherson, David
Churley, Marilyn
Cleary, John C.
Colle, Mike
Cordiano, Joseph
Curling, Alvin

Kennedy, Gerard
Kormos, Peter
Kwinter, Monte
Lalonde, Jean-Marc
Lankin, Frances
Levac, David

Phillips, Gerry
Ramsay, David
Ruprecht, Tony
Smitherman, George

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 44; the nays are 34.

The Deputy Speaker: I declare the motion carried.

1150982 ONTARIO INC. ACT, 2001

Mr Spina moved first reading of the following bill:

Bill Pr14, An Act to revive 1150982 Ontario Inc.

The Deputy Speaker (Mr Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

RDP COMPUTER CONSULTING INC. ACT, 2001

Mrs Molinari moved first reading of the following bill:

Bill Pr17, An Act to revive RDP Computer Consulting Inc.

The Deputy Speaker (Mr Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

STANLEY CUP VICTORY

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): On a point of order, Mr Speaker: I would like to take this opportunity to congratulate the Colorado Avalanche on winning the Stanley Cup. Although this is not a Canadian team, there are 14 Canadian players on this team, of which five are from Ontario, and the coaching staff are all Canadian. Bob Hartley, the head coach, is from my riding, a boy from Hawkesbury, and Stephane Yelle is from Bourget in my riding. We produce good hockey product in Glengarry-Prescott-Russell.

Congratulations to all the players. I look forward to seeing the cup in my riding and, proudly, right here at Queen's Park.

The Deputy Speaker (Mr Michael A. Brown): That of course is not a point of order.

Hon Janet Ecker (Minister of Education, Government House Leader): Mr Speaker, I seek unanimous consent to move a motion regarding committee membership.

The Deputy Speaker: Agreed? No.

The Deputy Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic
Bartolucci, Rick
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Bryant, Michael

Dombrowsky, Leona
Duncan, Dwight
Gerretsen, John
Gravelle, Michael
Hampton, Howard
Hoy, Pat

Marchese, Rosario
Martel, Shelley
McLeod, Lyn
McMeekin, Ted
Parsons, Ernie
Peters, Steve

STATEMENTS BY THE MINISTRY AND RESPONSES

EDUCATION LEGISLATION

Hon Janet Ecker (Minister of Education, Government House Leader): Since 1995, this government has been implementing a comprehensive plan to reform our publicly funded education system. Our goal is to help students succeed—to build an education system that provides the education that parents want for their children, with a focus on quality, accountability and improved student achievement.

Our plan for quality education includes: a more rigorous curriculum from kindergarten through to grade 12; significant resources for education—for example, for the 2001-02 school year, we have increased our investments in public education by more than \$360 million; a new, province-wide code of conduct to make our classrooms safer, more respectful learning environments; new school council regulations to ensure that parents have a stronger voice in their children's education; a standardized testing program so parents know how well their students are doing; and most recently, Ontario's new early reading strategy, to help our schools improve children's literacy skills. These and other quality education initiatives demonstrate Ontario's ongoing commitment to setting higher standards for our schools, with an emphasis on performance-based accountability.

Today we are moving forward with the next step in our plan. Earlier this afternoon I introduced the Stability and Excellence in Education Act. If approved by this Legislature, it would implement a mandatory recertification program for teachers, a key component of our Ontario teacher testing program. Secondly, it will respond to the concerns from parents and students about labour disruptions involving school boards and teachers' and school staff unions. Thirdly, it will implement the government's decision to accept the key recommendations from the advisory group on co-instructional activities and our other education partners to ensure co-instructional activities are available to our students.

I would like to specifically recognize that in the gallery we have members of the co-instructional advisory group: Doug Brown, Ernie Checkeris, Cathy Cove, Matthew Walker and Colin Hood. I would like to thank them very much for their advice.

We also have in the gallery with us some other individuals who have been very helpful in their advice on this and other initiatives: Greg Reid, who is the chair of the Ontario Parent Council; Doretta Wilson, from the Organization for Quality Education; and Terry Ross, the

executive director of Educators for Choice. Welcome to you as well.

The bill I am introducing today is another step toward increased quality, more accountability and improved student achievement. I would now like to outline the key components of this legislation for the House.

Firstly, this government knows that an important foundation for improved student achievement is quality teaching. Research clearly demonstrates the difference that a good teacher can make. Excellent teachers foster a passion for learning that students carry with them throughout their life. Excellent teachers also inspire their students to achieve things that they never thought possible.

One of the great privileges of this job is to have the opportunity to meet those many excellent teachers. Not only do they go above and beyond for their students, they also recognize that in today's rapidly changing world, a commitment to professional development and lifelong learning is imperative. That's why we've introduced our comprehensive teacher testing program, to ensure that all of our teachers, both new and experienced, have the most up-to-date training, knowledge and skills so they can help our students succeed and achieve higher standards.

Modelled on best practices in other jurisdictions, our program includes a series of initiatives which are being phased in over two years. Already in place are requirements that all new applicants for Ontario teaching certificates take a qualifying test similar to a lawyer's bar exam, starting next spring, and a language proficiency test, in effect since last fall, for new applicants to the profession who took their training outside of Ontario in a language other than English or French.

To be introduced over the coming months are: an internship program for new teachers to help them acquire strong teaching and classroom management skills; new province-wide performance appraisal standards to ensure all teachers can be evaluated and assessed regularly and consistently in their classrooms; a system to recognize teaching excellence; and a role for parents, educators and experts in a quality assurance process for our schools.

Today's legislation proposes another step in the comprehensive program: mandatory recertification. This was a key election promise that our government made in 1999 and also was recommended in 1995 by an all-party Royal Commission on Learning. The proposed program requires teachers to take part in a series of professional development courses and activities over five-year cycles throughout their careers. During each five-year cycle, all teachers would be required to successfully complete seven core courses and seven elective courses from an approved course list. Approved courses would of course include professional development activities and programs that many teachers already participate in regularly to improve their skills or to teach new subjects. Courses would focus on curriculum knowledge, student assessment, special education, teaching strategies, classroom management and leadership and the use of technology in communicating with parents and students.

All courses would include assessments or other tests at the conclusion to ensure that they have been completed successfully.

We will be working with our education partners over the next several months to approve appropriate courses and providers. Course lengths would vary according to the learning requirements of each topic, ranging, for example, from one-day workshops to longer courses designed to upgrade qualifications.

This program would be phased in starting this fall with 40,000 randomly selected practising classroom teachers. In the new year, 6,500 new teachers will begin their five-year cycle. In the fall of next year, all other members of the Ontario College of Teachers, including principals, vice-principals and other certified teachers, would begin their five-year cycle.

Like parents, we know that an education system that is committed to quality is an education system where everyone must work together. This brings me to the second initiative in this legislation. Parents and students have expressed concern about how labour disputes between school boards and teachers and school staff unions have disrupted the educational year. We have listened to those concerns, and with this legislation, we are proposing two steps to provide greater labour stability.

While we continue to believe that local agreements are the best solution, we also believe that the collective bargaining process needs adjustments to better reflect the interests of parents and students and the need for greater stability. Our legislation, therefore, would require upcoming collective agreements between a school board and teachers' union to run for a term of three years to stop the annual bargaining and collective agreement process that some school boards and teachers' unions have been faced with. This requirement would be phased in. As current contracts expire, school boards and teachers' unions would be required to negotiate contracts that expire on August 31, 2004. All subsequent collective agreements would have a term of three years, an important initiative for stability for our parents and our students.

1410

We've recently seen in Toronto and Windsor-Essex, for example, that labour disputes involving support staff can also have a direct impact on the delivery of education to our students. The Education Relations Commission currently advises the government when the continuation of a strike or lockout involving teachers is putting students' education at risk, but the commission has no jurisdiction in labour disputes involving other board staff. The commission's advice is an important factor in a government's decision to legislate teachers back to work.

Today's legislation proposes allowing the commission to advise the government when student education is in jeopardy because of labour disputes involving other school board staff as well. These measures, if approved by the Legislature, would mean students, parents, teachers and school board employees would spend less

time distracted by contract negotiations and the possibility of labour disputes, while unions and school boards would continue to have the flexibility they need to work out their own specific local agreements.

The third piece of this legislation today deals with restoring co-instructional or extracurricular activities in our schools. Those activities are an important part of a student's education and an integral part of their school experience. It is something that I have said and the government has recognized and we've said many, many times in this Legislature—

Mr John Gerretsen (Kingston and the Islands): What took you so long?

Hon Mrs Ecker: Obviously, the member for Kingston and the Islands wasn't listening, based on that heckle. Because of that importance, we established the advisory group on co-instructional activities, to provide advice on how to restore those activities where they had been withdrawn from our students.

The advisory group's recommendations met with wide acceptance from students, parents and our education partners. That group asked that all education partners set aside their original positions and work for the benefit of the students. Everyone said they would.

For its part, the government announced on May 7 of this year a significant package of initiatives that act on the key recommendations from the advisory group and our other education partners to ensure that co-instructional activities are indeed available to all of our students.

Mr James J. Bradley (St Catharines): It's our formula.

Hon Mrs Ecker: The third and final component of this bill provides the necessary legislation to implement this significant package—and I hate to break it to the member for St Catharines, but no, it's not your formula.

The proposed legislation would give school boards and high school principals greater flexibility to recognize co-instructional activities when assigning teachers' workloads, an important initiative. The current requirement that high school teachers teach an average of 6.67 courses a year, the equivalent of an average of four hours and 10 minutes of instructional time a day, is maintained. However, there would be greater flexibility in the regulations that define that standard, that instructional time, to include time spent giving remedial help to students and on important duties such as supervising students and filling in, for example, for teachers involved in co-instructional activities.

The legislation would also allow a school board to pass a resolution to vary the maximum average class size in its high schools by up to one student. This would provide boards with the flexibility to access resources that could be used for local priorities to meet the needs of students for quality education.

Our proposed legislation would also repeal unproclaimed sections of the Education Accountability Act that could have required teachers to participate in co-instructional activity. We will also proclaim the sections

of that act which will require school boards to develop and implement plans for the provision of co-instructional activities in high schools, and I should stress in high schools, because in our elementary schools this has not been a challenge faced by our students in those schools.

This bill will enable us to move forward with our education partners to make important, but necessary, changes. We are committed to setting higher standards for student achievement in Ontario, and we are committed to providing our students with the tools and the environment that they need to succeed.

The proposed Stability and Excellence in Education Act is an important step along the path to an education system where for all of us, all of the education partners, our highest priority is improving student achievement.

I would ask all members to join with me in supporting this very important legislation.

The Deputy Speaker (Mr Michael A. Brown): Response?

Mr Gerard Kennedy (Parkdale-High Park): We're here today in the House bearing witness to the floundering, the lack of direction, the inability of this government when it comes to education. Elsewhere in this House is a committee rushing through momentous change to education that isn't even in the hands or the control or the influence of the Minister of Education. Instead, it's private school vouchers, rejected by 35 US states but run through by the Tory backbench here without so much as an education discussion.

Instead, what is the view and the vision of this government when it comes to education? It's about continuing turmoil and continuing instability.

Last December, we put forward a plan for peace in the schools, a peace plan for education that puts students first. What do the members and the minister opposite do? They rejected the plan to restore extracurricular activities and they waited 240 days and allowed, all around this province, students to lose faith in the school system, to lose access to the things they need for quality education. Each and every member of the government acquiesced and agreed that their political priorities took precedence over the students of this province.

Today in the gallery we have indeed a committee that was appointed and came back to the government with many recommendations. They're not all in this legislation. They're not dealing with the burden at elementary schools. Unfortunately, there's one recommendation this party takes exception to, the idea that this government, after having caused so much instability in our high schools—new curriculum without support, lack of funding, lack of commitment to make sure the learning environment is good—will then turn around today and offer to us an opportunity to increase class sizes in high schools. We reject that. We reject the idea that students in school should be deprived of extracurricular activities and have their class sizes increased as the unlikely and unacceptable trade-off.

This government has the gall to stand here in the House today and say they are prepared to move on

something that every parent and every student in this province has been asking for with sincerity, and that is to do something to bring peace and stability to the schools. Every opportunity they had, they have missed. Today they say to us, "We will mandate three-year agreements." I don't know what magic wand the minister has in her desk or what little flick of her wrist she thinks will make that happen, but it is obviously not even really genuine wishful thinking on the part of this government when it doesn't take any level of responsibility. A government that wants peace in our schools has to take responsibility for the challenges in our schools.

What is the record this government is running away from? This is a government that has collectively deprived, in its five sad years in office, in terms of education, not to mention many other things, 1.7 million days of instruction and learning away from the students of this province—1.7 million, five times the number of days lost during the previous five years. This is a government that has been reckless when it comes to our students' education in this province, reckless with the future of the children in this province.

Earlier this week we revealed what the government does not want to focus on, which is its lack of responsibility taken. It has actually decreased funding by \$10 million. It will be hard enough for people to give even a facsimile of education when there's no commitment by this government—not willing to make a single sacrifice, not drop a single tax cut, not put any priority into education. It has been \$2 billion, but even more important, an unquantifiable lack of commitment that has gone missing and that can't be found in the statement made by the minister today.

They say higher class sizes. We say on this side of the House, we'll make the sacrifice for lower class sizes. On the other side of the House they're saying underfunding; we're saying no, there has to be an investment, investment for the right reasons. They say on the other side of the House that they would test teachers in some kind of phony political fashion. We say provide excellence in education, provide mentorship, provide support.

Last year we lost 4,400 teachers for reasons other than retirement. This is a government chasing the best teachers out of Ontario and it has the audacity to come forward today with a half-hearted proposal.

What the people of this province need, what the students of this province require, is for the adults to get their act together. They require a true partnership. In other countries it's been possible for the teachers, for the government, for the school boards, for the local authorities to sit down and work together. But to do that, you need a government that is committed to putting the interests of students first. It's not here today, but it will be here in two years.

1420

Mr Rosario Marchese (Trinity-Spadina): Make no mistake about it: the latest Conservative bill is obviously designed to deflect attention away from the tax credit

mess that they are at the moment immersed in. The Conservatives are attempting to ram through a bill, the tax credit for private schools, when two separate polls are against this initiative. They're doing it in spite of that. To deal with the fact that the polls are saying no to the tax credit to private schools, what have they done? They have said, "We're going to pass this bill, opposition parties, Ontarians, whether you like it or not, and we're going to pass it quickly, before the end of June. What are we going to do to help this process? We're going to change the rules so that the majority of deputants who come before the committee are deputants who support the government and not the other point of view."

That's how they've changed the process in our legislative hearings, so as to make sure that the only people who come in front of it are those who support the government—a shameful act of this government. It's not enough for them to have power and be in government and it's not enough to be able to introduce bills that destabilize the education system; they want to control the education hearings as well. You can't have it all. At some point Ontarians are going to tell you, "Enough is enough."

This is what they're doing: every time they have a mess, a problem, they introduce yet another bill to try to cover up their problems. What do they do? They choose to beat up on those who are so frail, our education teachers and our education workers. They're going after them again and again, every time they're in trouble.

Last week the minister announced more teacher testing. We suggest it's the Tories on the other side who ought to be tested and not the teachers. The government claims they want to increase accountability in education, and yet the new teacher testing will not apply to one single private school teacher. In fact, this government plans to give hundreds of millions in public dollars to private schools, where teachers do not even have to be certified. All they have to do is be qualified individuals, but not certified teachers.

The minister claims this bill is about stability. It is precisely the Conservative government that has sought to create a crisis in education. You slashed funding by \$2.4 billion when enrolment and inflation are factored in. You created labour instability with a funding formula guaranteed to force disruptions between boards and workers. Now you want multi-year agreements. Well, Minister, where is the multi-year funding the boards have said they desperately need to plan for the future? Once again you are demanding of school boards what you refuse to do yourself. You demand accountability, yet you refuse to be accountable.

You claim to want to promote stability, yet your Bill 160 gutted the Education Relations Commission. It was the Education Relations Commission that mediated and monitored contract negotiations. No longer. It was the Education Relations Commission that trained arbitrators. They no longer do that. What they do now, the only function left for them, is to advise on jeopardy during a strike. That's all they do. Yet now you want to expand

the powers of the Education Relations Commission over all education workers. This is not designed to promote stability; it's designed to punish the lowest-paid workers in our schools, and it's designed to attack the right to strike for a fair contract.

What about your latest announcement re extracurricular activities? We thought you were working on a compromise. The compromise was to reduce the workload, which was the root of the problem, yet you haven't dealt with that. What's worse, the government is going to proclaim parts of Bill 74 to force boards to provide the extracurricular activities. But what are they going to do? Who will run the extracurricular activities? Will our kids be safe?

They're downloading the problem on to the boards of education and they're forcing boards of education to provide the extracurricular activities, but the only way they can do it is to increase class size. What kind of option, what kind of choice have you given boards of education? It's the same teaching load, but boards now have flexibility to do what? Increase class size in order to get some of those teachers to do the extracurricular activities. That is not a choice that the education workers were looking for.

I'm hoping, Ontarians, that you are awake enough to say to this government that you need to send them a message they will never forget.

LEGISLATIVE PAGES

The Deputy Speaker (Mr Michael A. Brown): I ask all members to join me in welcoming this group of legislative pages serving in the second session of the 37th Parliament: Sarah Blackmore, Whitby-Ajax; Beckie Codd-Downey, Willowdale; Rebecca Cornell, Kenora-Rainy River; Adam Danchuk, Timiskaming-Cochrane; Anthony Gras, Sudbury; Ashley Hellyer, Bruce-Grey-Owen Sound; Dustin Hughes, Timmins-James Bay; Leora Jackson, Thornhill; Matthew Leroux, Ancaster-Dundas-Flamborough-Aldershot; Reuben McRae, Durham; Sarah Mistak, Oakville; Joshua Morrison, Haldimand-Norfolk-Brant; Kieffer Norton, Barrie-Simcoe-Bradford; Ryan O'Hearn, Simcoe North; Marianne Soukas, Windsor-St Clair; Meera Srikanthan, Toronto Centre-Rosedale; Shauna Sunstrum, Nepean-Carleton; Christopher Tynan, Eglinton-Lawrence; and finally, Cameron Wood, Don Valley East.

ORAL QUESTIONS

EDUCATION FUNDING

Mr Dalton McGuinty (Leader of the Opposition): My questions are for the Premier. Premier, we have finally been able to obtain a copy of your government's submission to the UN on the funding of private schools. It is, as you can see, a very lengthy and thorough

document. Obviously a great deal of thought, effort and cost would have been put into this document. Most certainly it represents your government's considered and thoughtful opinion on the matter of funding of private schools.

I want to draw to your attention, Premier, one of the arguments made in this document before the UN, made on behalf of your government, and I quote, "Funding of private religious schools is likely to lead to increased public school closings and the reduction of the range of programs and services that any one public system can afford to offer." What you are saying here, to be very concise, is that this policy will hurt public education. Can you tell us why you are proceeding with a policy which you yourself argued in this document would hurt public education?

Hon Michael D. Harris (Premier): When we looked at other jurisdictions that had introduced some form of assistance for alternate schools, the two that I think were the closest parallel were Manitoba and British Columbia. In 1990, 5% of students were in private schools in Manitoba; 10 years later, 6.6% of students were in private schools. In British Columbia in 1990, 7.1% of students were in private schools; in 2000, 10 years later, 8.5% of students were in private schools.

It's interesting to note that in Ontario over the same period of time, in 1990, 3.4% were in private schools and 10 years later 4.6% were in private schools. So, in two jurisdictions that introduced actually more generous funding than we have introduced, there is not any variance from—

The Deputy Speaker (Mr Michael A. Brown): Thank you. Supplementary.

Mr McGuinty: Premier, I've been looking for those kinds of comments and arguments inside this brief, and there is nothing to that effect whatsoever. In fact, you are very unequivocal. You say here, "Funding of private religious schools is likely to lead to increased public school closings and the reduction of the range of programs and services any one public system can afford to offer." You were specifically saying that this would hurt public education.

You go on to say, Premier, "Funding of private religious schools would result in the disruption and fragmentation of education in Ontario." Again, through this document filed before the UN, you were absolutely unequivocal, and you said much the same thing in a letter to me just a little over a year ago. Why is it, Premier, that you would bring in a policy now that you yourself argued would cause disruption and fragmentation of public education?

1430

Hon Mr Harris: As I indicated, the studies we've done of two other provinces versus Ontario showed absolutely no difference from the types of programs they introduced. That's why we introduced a similar type of program, a partial tax credit, not the UN resolution, no funding to private schools, but rather a tax credit on a

partial basis to parents: so that would parallel the experiences we saw in British Columbia and Manitoba.

The United Nations, on the other hand, suggested a number of remedies, three things: (1) extend direct funding to other religious schools at the same rate of the public schools—we rejected that; your party didn't, by the way, but we rejected that; (2) eliminate funding to Catholic schools—we rejected that; your party didn't reject that, by the way; (3) extend religious instruction to public schools—we rejected that; your party, by the way, did not reject that.

We rejected the UN solutions in favour of those—

The Deputy Speaker: Final supplementary.

Mr McGuinty: Premier, you are flipping and flopping like a pickerel on a hot July day on a dock in Nipissing. Premier, if you have other studies that you would like to table in this Legislature, we'd be delighted to see them, but to the best of our knowledge all of your careful thought, consideration, effort and creativity went into this extensive legal document. You clearly said that to proceed with this kind of policy would hurt public education.

Beyond that, Premier, do you know what else you said? You said that to fund private religious schools would have a detrimental impact on the public schools and hence the fostering of a tolerant, multicultural, non-discriminatory society in the province. That's what you said, Premier. That's what you argued. You said that the very policy you're putting forth now would not only hurt public education, it would hurt society.

The Deputy Speaker: The question has been asked. Premier?

Hon Mr Harris: It's disappointing to me that the member opposite doesn't understand the difference of what British Columbia proposed and what was proposed in Manitoba versus what the United Nations proposed by way of full funding. We rejected the full funding argument. That in essence would be a voucher, which you seem to be in favour of.

I notice that as recently as May 30th the spokesperson for education for the Liberal Party said that recognizing fairness is to say the UN finding has some legitimacy. It may be Liberal policy that the UN has some legitimacy, that in fact there should be vouchers, there should be full funding, there should be direct funding. We rejected that. We rejected that before with the United Nations, and we rejected it in this budget. What we came forward with was a tax credit to parents to improve the options for choice.

Hon Janet Ecker (Minister of Education, Government House Leader): On a point of order, Mr Speaker: I've often been asked what advice I gave the Premier. I told them Mr McGuinty said—

Interjections.

The Deputy Speaker: New question. Leader of the Opposition.

COMMUNITY CARE ACCESS CENTRES

Mr Dalton McGuinty (Leader of the Opposition): From time to time the caddy would speak herself. Well, we're glad to hear from her today.

My question is for the Premier. I want to talk today about how your government is robbing our parents and our grandparents of their dignity and independence. We've obtained a copy of the Manitoulin-Sudbury Community Care Access Centre's plan for deficit reduction, a plan they are undertaking not of their own choosing but because of your own government's freeze on funding.

Do you know what they're being forced to cut back on, Premier, as a result of your budget freeze? They're talking about cutting back on incontinence supplies for our grandmothers and our grandfathers who happen to suffer from incontinence. Can you tell Ontario's frail elderly, those who are receiving home care today, those who are suffering from the embarrassment of incontinence, why is it that you're cutting them off their incontinence supplies?

Hon Michael D. Harris (Premier): I think the minister can respond.

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): I'd like to say once again that we've been discussing CCACs for a number of days in the House, and we would know from the answer we gave the NDP a number of days ago that the dollars being invested in CCACs, in the area you speak of, have moved from \$17 million to \$20 million over the last three or four years. It's quite an investment. In fact the government of Ontario, the Mike Harris government, has invested in increased home care funding by 72% all across the province. We are investing in this because we believe it's an important asset. We're also doing operational reviews to look at how we might improve the services. We have continued to work to make sure that the seniors and the people of this province receive the home care they need in their communities.

Mr McGuinty: Madam Minister, here's what Bob Fera, the board chair for the CCACs, is saying in Sudbury: "I'm writing to advise you that serious reductions in home care have become necessary right across Ontario, due to inadequate funding and the fiscal policies of the current provincial government." He's not writing to thank you in a gracious manner for your additional funding; he's telling you that they're experiencing a funding shortfall. I think one of the most tragic and saddest aspects of all this is the fact that in today's Toronto Star, the minister himself reveals, "We don't have an answer, we don't have a plan, we don't have a policy, except to say the status quo is going to crash."

So the question I have for you, Madam Minister: if the minister himself doesn't have a plan to improve home care for our seniors in Ontario, maybe you now can stand up and tell us what your plan is to improve home care for our seniors.

Hon Mrs Johns: Let me say that the ministry certainly does have a plan. We have said we're going to go out and have a dialogue with the people of the province. The federal government has said they're going out to have a dialogue with the people of Canada. What's more important on this particular issue is that the previous Minister of Health commissioned a report to talk to stakeholders, to ask them what should be done with respect to CCACs. We have gone out. We have made some changes to CCACs. We have an action plan where we're moving forward in a number of areas to make sure we understand the best practices that can be done within CCACs. We have gone out to ensure we're developing information systems and a number of different things that have been asked for.

Our goal is to provide Ontarians with the best health care we can as close to home as possible. We continue to work for quality health care in the province, because that's the goal of the Mike Harris government.

Mr McGuinty: You and the government have been on the job now for six long and painful years. It is completely unacceptable for you to tell us today that you have no plan to improve home care for our parents and our grandparents. They played by the rules, they paid their taxes, they deserve their independence and they deserve to have their dignity respected. What you're doing now is you are quietly presiding over the downfall of home care in Ontario.

Not only that, not only are you not respecting their right to independence and dignity in their own homes, but you are being penny-wise and pound foolish. If you don't meet their needs inside the home, there's a much greater chance they'll end up inside the hospital, and that is much more expensive. Again, how can you stand there, six years on the job, and why is it your government still doesn't have a plan to improve home care for our parents and our grandparents?

1440

Hon Mrs Johns: I actually don't know where the Liberals get off on this. This government has invested more than \$1 billion every year into health care, most of that going to senior citizens.

Interjections.

The Deputy Speaker (Mr Michael A. Brown): Order.

Hon Mrs Johns: Let me tell you that this government has invested 72% more dollars in home care, and that goes right into services for seniors in this province. We have moved from \$1 billion in drug costs to \$1.6 billion to make sure seniors have the drugs they need when they need them, and have listed more than 2,000 new drugs. We have invested and invested—\$1 billion more a year in health care services. You should be ashamed of yourself for scaremongering in health care as we invest and dialogue with the people of Ontario so they can decide where health care should be in this province.

WALKERTON TRAGEDY

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. Last year, on December 20, in answer to a question here in the Legislature, you said, "This government has never ignored any report, any suggestion of anything that would jeopardize any citizen ... including [in] Walkerton, about water quality." In light of the revelations yesterday that the medical officer of health for Ontario and your own health minister wrote letters warning of the problems with water quality and advocating mandatory reporting of all water tests to the local medical officers of health—in view of those warnings, Premier, can you explain the statement you made on December 20?

Hon Michael D. Harris (Premier): Yes. The statement speaks for itself, and I stand by it again today.

Mr Hampton: Those warning letters were explicit enough. In the 1996 business plan of the Ministry of the Environment, a business plan that went to cabinet for review and approval, it said your cuts "would increase the risk to human health and the environment." So in 1997 your Minister of Health and the medical officer of health repeated those warnings to you and asked you to guarantee there would be mandatory reporting of all water tests.

On the record, Premier, there are examples of three warnings. Were you or were you not aware of those warnings?

Hon Mr Harris: I appreciate your bringing this information forward. I will be happy to forward it, if you have not, to Justice O'Connor, who we've empowered to look at all the information to see what impact the commission determines any of this had to do with Walkerton. That's why we called the commission of inquiry, and we are prepared to make sure he has all the information he needs.

The Deputy Speaker (Mr Michael A. Brown): Final supplementary.

Ms Marilyn Churley (Toronto-Danforth): We talked to the Walkerton commission of inquiry this morning, and they said very clearly that there is nothing keeping any of you from answering any questions on this issue. They made that very clear.

So I'm going to put it to you again: long before Walkerton, your chief medical officer of health and your Minister of Health warned you about the dangers of privatizing all the water testing labs. If you had acted on that warning, fewer people in Walkerton would have become sick and lives could have been saved. A woman from Walkerton said on CBC Radio this morning that it was like the government pointed a loaded gun at the province and Walkerton got hit.

Premier, do not betray the people of Walkerton any more. Stop this cover-up and at least admit you were warned and did nothing.

Interjections.

The Deputy Speaker: Order. I think the member needs to withdraw the word "cover-up."

Ms Churley: I'm alleging a cover-up here. I can't withdraw that. That's allowed.

The Deputy Speaker: I ask you to withdraw the word "cover-up."

Ms Churley: Well, I withdraw.

The Deputy Speaker: Thank you, Premier?

Hon Mr Harris: It's an interesting premise that you've drawn. Fortunately, to take partisanship out of this debate and have a reasonable, rational look at all the facts, we appointed Justice O'Connor to take a look at all the information. Of course, we've made thousands of documents available. He is free to review all of that and to interview whomever he wishes to interview. We will co-operate fully, of course, and then we'll leave it to Justice O'Connor to draw his conclusions.

LONG-TERM CARE

Ms Frances Lankin (Beaches-East York): My question is to the Premier. For months now, I have been trying to draw your government's attention to the plight facing Ontario seniors in long-term care. This weekend's newspapers exposed conditions in nursing homes where seniors are routinely tied down, left in urine-soaked beds in their own excrement for hours. And yet this morning, Premier, you said, and I quote, "Seniors should thank God they're in Ontario, where the best services are in the world."

I was shocked to hear that, Premier, and I want to tell you that you should work a shift in a long-term care facility like I am going to tomorrow, and you would see the truth. A recent study shows that Ontario has the least number of nursing hours per resident of any jurisdiction. We've proposed to you a comprehensive set of actions that need to be taken to turn things around. One element is to restore the minimum two and a quarter nursing hours per resident. Will you take our proposal to heart and implement, at minimum, two and a quarter nursing hours?

Hon Michael D. Harris (Premier): Any time any individual, any senior citizen at any time anywhere in any of our facilities in the province receives less than excellent care, it is a concern for us.

I think it is interesting to note that since we've taken office, we've increased funding to our long-term care facilities by an unprecedented \$485 million; just this year another \$69 million over last year. We have increased the base per diem funding rate for long-term care facilities, including funding for nursing and personal care, far in excess of what you provided when you were in government.

I don't want to be critical of you when you were in government, but the record speaks for itself: we are doing considerably more in continuing to add dollars and hours of personal care. Would we like to do more? We're taking a look at that. We appreciate your suggestions. You've got lots of suggestions for us when we're in government; you did nothing when you were in government.

Ms Lankin: You talk about increased per diems. In the province of Ontario, you spend less than half, on a per diem rate, for seniors in nursing homes than you spend on inmates in Ontario jails, and that is shameful, Premier.

Let's take a look at home care. I have been demanding accountability from your government for the service cuts that are being implemented right now. Every time I ask you about service cuts, you over there duck the question and talk about increased funding.

Well, let's look at the facts, Premier. I'm going to give you two examples—only two, and there could be many more. Kingston CCAC delivered \$26.5 million in services last year, funded by you. Now they're under orders to cut back to \$25 million this year. Last year, East York CCAC spent \$13.7 million, funded by you. This year you've cut that to under \$12 million. So contrary to what you say, these are cuts.

Premier, these cuts are not just cruel, they're stupid. The seniors who lose these services will end up in more expensive services and hospitals. Will you restore the CCAC services funding so that seniors don't have to go without in this province?

Hon Mr Harris: When it comes to community care access centres, we have provided unprecedented new funding for them, and you know that; 72% for in-home services alone since we have taken office. The facts of the matter are that there is not a CCAC in the province that is receiving one cent less in their budget this year than they were budgeted last year.

1450

WALKERTON TRAGEDY

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Premier. Yesterday we learned that five of your ministers had been warned by the province's chief medical officer of health that your government had created this dangerous loophole in water testing regulations. Because of the changes you made, there was no longer any legal requirement on the part of anybody to notify the doctor on the ground, the local medical officer of health, that the water had been poisoned. The five sat on their hands.

Maybe that's not fair; one of them actually sent this matter off to a committee. The committee came back and filed a report. I've got a copy of the report here today, and do you know what the report said? They came to the conclusion that there was a dangerous loophole here, and they also said there should be a legal obligation imposed on the water operator to notify the medical officer of health in the event that the water is found to be dangerous to health.

So Richard Schabas, the medical officer of health, said, "Listen, you've got to pass a law in Ontario making the water tester tell the local medical officer of health if the water is deadly." Your own committee said, "Well, instead of the water tester, let's at least make the water operator have a legal obligation to tell the medical officer

of health that the water is deadly." You ignored both warnings. Why is it, Premier, that you now refuse to take at least some responsibility for what happened in Walkerton?

Hon Michael D. Harris (Premier): Now is the time to co-operate fully with the inquiry. I appreciate any information you bring forward. I'm happy to share it with the commissioner.

Mr McGuinty: What we would have been looking for, Premier, was your co-operation and your dedication to ensuring we had on the books here in Ontario a law which imposed a minimum standard on the water testers, the private water testers, something you created here in the province of Ontario, to notify the local medical officer of health that something had gone terribly wrong, so that the medical officer of health could then act in a way to save lives. What you did, Premier, was that you and five ministers tossed this issue around like a hot potato that nobody wanted to hold on to for too long, and the net result was the tragedy in Walkerton.

I ask you again, Premier, why is it that nobody over there, when we're now aware that at least five of you had some warning about this dangerous loophole—why is it that all five and you, Premier, ignored these warnings and refuse to take responsibility?

Hon Mr Harris: There is all kinds of information there, thousands and thousands of documents that we provided to the inquiry, and it will be up to Justice O'Connor to determine the relevance of any of those documents. We have given him full range, full powers, full opportunity and full co-operation. I'm surprised that, having agreed to that process—at one point I think I offered to allow you and the NDP, through a committee process, to ask those questions and do that, and you said no: "No, we don't want anything to do with that. We want an impartial, independent judge to do that." So that's what we've done. We have an independent judge doing that, and we'll let him make the determination.

POLICE SERVICES

Mr Bill Murdoch (Bruce-Grey-Owen Sound): My question is to the Solicitor General. In our area, we have different police forces, and we've had some difficulty deciding how they should be run. OCCOPS hasn't been a lot of help to us. In my area, I have the municipality of Meaford, which has its own local police force plus OPP. I have West Grey, which has OPP, and Durham. I also have Brockton, which has Walkerton and a police force of their own, plus they have OPP. The act limits them from deciding whether or not they can have hybrid policing. I would like the Solicitor General to give me his views and the ministry's views on hybrid policing.

Hon David Turnbull (Solicitor General): With the proper governance structure, hybrid policing could benefit many Ontario communities. It would certainly allow some municipalities to retain cost-effective hybrid situations. Sudbury is a good example of this. In some cases, communities that have a historic relationship with

a police service would be able to maintain that relationship. I must emphasize that the new adequacy standards for policing which came into effect earlier this year will ensure consistency in policing through each municipality. As such, I believe hybrid policing could be a choice that should be available to municipalities.

Mr Murdoch: From that answer, then, I can assume and I take it that you're in support of hybrid policing, so I guess my supplementary question would be, since my friend and my colleague to my right here has a private member's bill that he'll be introducing very soon and I believe you have seen, will you be in full support of his private member's bill?

Hon Mr Turnbull: Bill 59, if passed, would amend the Police Services Act to add hybrid policing to the list of policing options available to municipalities. It would mandate a single police service board in hybrid policing arrangements, ensuring consistency and preventing duplication. It would allow municipalities more choice. I believe Bill 59 is a good piece of legislation and certainly deserves the support of all members of the Legislature. Yes, I personally do support it.

COMMUNITY CARE ACCESS CENTRES

Mrs Sandra Papatello (Windsor West): My question is for the Premier and it's in regard to home care. Let me begin by saying that the statement the Premier just made in the House about home care and about funding levels that have not decreased is simply inaccurate and completely false. Let me start there.

Premier, you ordered all of your ministries to come up with their own business plan for the year 2000-01. This is this year's business plan that you ordered for home care. Here's what they came back with. They said, "Ontarians can choose from an increasing range of health services that let them remain in their homes and in their communities." Premier, could you tell me how you can order a plan that comes out with increasing services to keep people in their homes and at the same time sit as Premier as community care access centres are forced to cut services, mostly to seniors and mostly to senior women?

Hon Michael D. Harris (Premier): As you know, with funding increases of 72%, if there's any CCAC saying that, and I understand there are some that are saying that, we're very concerned. We're as concerned as you are and as concerned as seniors would be. That's why the minister has indicated that he is planning to meet with the CCACs. He has looked at a review of how they're operating, how efficiently they're operating, because with absolutely no budget cuts this year from last year and with a 72% increase over the first five years, clearly we ought to be providing more and more services to more and more people. Any logical person would say that should be the outcome with the funding decisions we've made. That may be the outcome, although I acknowledge there are some CCACs that, very early on into the year, are expressing some concerns. We don't

know if it's a shoddy ploy for more money or whether it is legitimate—

Interjections.

The Deputy Speaker (Mr Michael A. Brown): Supplementary?

Mrs Papatello: No, on a point of order, Mr Speaker: I'd like the Premier to withdraw that inappropriate remark.

The Deputy Speaker: I'm not hearing what the member was excited about, so I'm having some difficulty.

Interjections.

The Deputy Speaker: We'll just wait. Supplementary.

Mrs Papatello: On a point of order, Mr Speaker: The Premier just referred to my last question as some kind of a shoddy ploy. This is exactly what he is accusing me of, and I want him to withdraw.

Interjections.

The Deputy Speaker: Order. Stop the clock. You know what, we're going to take five minutes to calm down a bit.

The House recessed from 1501 to 1506.

The Deputy Speaker: Supplementary, the member for Windsor West.

Mrs Papatello: My supplementary is still for the Premier.

Premier, now you accuse the community care access centres, whose job it is, as volunteer boards and communities, to do the best they can for our seniors to allow them to have dignified lives in their homes, and today you say they should thank God every day they live in Ontario, (a), and (b) now you subject them to being called "shoddy ploys" by coming in here and suggesting they're not getting services they need.

Premier, your own review of the Ministry of Health, just tabled yesterday, says specifically that the population growth, aging growth, hospital restructuring, all of these things are causing increased demand for home care, and your funding does not keep up with this need. This report tabled yesterday said that the people are sicker when they're at home today than ever before and your funding is not keeping up with the needs of our parents and our grandparents. For our volunteers to do the best they can, we insist that you do this review—

The Deputy Speaker: The question has been asked. Premier.

Hon Mr Harris: As you know, we have increased funding some 72% for home care to the CCACs since we took office.

I noted that the member raised the issue last week concerning the Niagara CCAC. It was interesting, if I could read the editorial that said when they looked at the facts—this was when you called the member from Niagara stupid, I believe—when the editor looked at the facts, the editor found that funding in Niagara had risen to \$47 million from \$21 million in 1995. They found that the overhead costs had gone up; staff costs went up 17.5%.

What I said was, while we are pouring more and more money into it, and we all have this concern, we have to be very, very careful to make sure that these requests are not a ploy for more money, they're not politics, because if it is, it's very shoddy. It's very shoddy if—

The Deputy Speaker: Thank you. New question.

RESEARCH AND DEVELOPMENT

Mr John O'Toole (Durham): My question is for the Minister of Energy, Science and Technology.

Interjections.

The Deputy Speaker (Mr Michael A. Brown): I'm having great difficulty hearing the member for Durham.

Mr O'Toole: Minister, I know you're well aware that we are in the midst of a knowledge-based economy, and furthermore I know that you're quite aware of how important it is for our researchers in Ontario to be able to work with the state-of-the-art equipment and facilities. Minister, could you tell us what our government is doing to help fund research infrastructure at our universities, as well as other research facilities in the province of Ontario?

Hon Jim Wilson (Minister of Energy, Science and Technology): I thank my colleague for the question. Ontario is home to some of the world's top researchers, scientists and research institutions, and I'm pleased to say that this is due in part to the tremendous increase in support this government has given since 1997 to programs that support research, development and innovation at our universities, hospitals and other research institutions.

One of the new programs is the \$750-million Ontario investment in innovation trust, which this government established in 1999 to invest in leading-edge research equipment and facilities at Ontario's universities, colleges, hospitals and research institutes.

Recently, the board of that trust committed \$90 million for a new initiative that will help ensure that Ontario's researchers have the tools necessary to compete with the best in the world. The new initiative is called the Ontario Distinguished Researcher Awards. The \$90 million will provide infrastructure support and help us reverse the brain drain and make sure our researchers have the best equipment available.

Mr O'Toole: Thank you very much for that, Minister. I know just how supportive you are of our scientific- and knowledge-based economy. You've made it very clear that innovation and investment are very important for our common success in the province. Perhaps you could explain how researchers can apply for these awards in Ontario.

Hon Mr Wilson: The details are being finalized with respect to the Ontario Distinguished Researcher Awards, but we do know that in order to leverage an additional \$90 million from the federal government for research and development, our researchers will apply to the Canadian Foundation for Innovation for their first infrastructure funding and then the innovation trust, through the

Distinguished Researcher Awards program, will consider applications in the province. That way we can double our money and make sure that we attract more of the world's best researchers to Ontario.

We've had tremendous success in the past few years. We need to keep up the momentum and ensure that Ontario becomes the number one place for research and development in North America, which is this government's goal.

AIR QUALITY

Ms Marilyn Churley (Toronto-Danforth): My question is to the Minister of Energy. Minister, your government has just issued its third smog alert this year, and people are suffering all across the province.

During the last alert, when we told you that the Ontario Power Generation was aggravating smog by increasing production at the coal-fired plants to feed the US markets, you said then that the OPG curtails production at the coal-fired plants during smog alerts. Well, Minister, we asked the OPG. They said that on smog days they increase production at the coal-fired plants. Which is right, Minister, you or the OPG?

Hon Jim Wilson (Minister of Energy, Science and Technology): As the single shareholder in Ontario Power Generation, I can assure you that we do curtail production, particularly at the Lakeview plant during smog days. In fact, we had lots of cases last year and the year before where Lakeview was not running at all during the worst smog days, yet we were being blamed for the pollution in Toronto.

Ms Churley: I have a letter dated May 15, 2001, from the OPG responding to an appeal to stop exporting power from the coal-fired plants during smog alerts. They say that they plan to continue to take advantage of US spot market demand. That means boosting dirty, smog-causing production at the coal-fired plants during smog days. It's very clear in this letter, but you just told me again that OPG curtails production at the coal-fired plants during smog alerts.

Will you tell the OPG to stop putting profits before human health? Will you order them, today, to curtail production and stop the export of dirty power from all of the coal-fired plants during smog days? Will you do that, Minister?

Hon Mr Wilson: Again, my answer stands. We do make every effort to curtail using those plants. Last year and the year before—for a number of years now—we've imported more electricity from the United States while we're recovering our nuclear plants. In order to keep the lights on in Mississauga, though, every once in a while Lakeview has to be started up. When there's a smog alert, though, we do our very best to make sure that we not use that plant, that we use the cleaner Nanticoke plant first and all our resources in our nuclear plants first before we have to start up our dirty coal-fired plants. That is the policy of the government, that is the policy of OPG and we do our very best. I would not want to have

to explain to the people of Mississauga, though, why there's a blackout on any given day because we failed to live up to our obligations to deliver electricity to the people of Ontario.

COMMUNITY CARE ACCESS CENTRES

Mr Dalton McGuinty (Leader of the Opposition):

This question is for the Premier. A few moments ago, you accused CCACs of being part of a shoddy ploy to get more money, and if the Premier wants to correct the record and if he thinks I've got it wrong, I'd be delighted to hear from him in that regard.

Premier, you should understand that when we talk about our CCACs, all 43 of them are directed by elected volunteers: people who are community-minded, people who dedicate themselves to the care of our parents and our grandparents in every community right across Ontario. You have had the benefit now of a short cooling-off period. I will now ask, on behalf of all of those volunteers who work on behalf of our parents and grandparents, that you apologize to them unequivocally here and now.

Hon Michael D. Harris (Premier): Perhaps I could repeat some of the challenges that are being faced with the massive increase in money. CCAC funding, as you know, has gone up some 72%—\$700 million to now over \$1.1 billion.

I gave you the example of a CCAC that was raising concerns in Niagara. Here is what the independent third-party editor had indicated: funding had gone from \$21 million to \$47 million, staff salaries increased 17.5%, but no more money was going into actual home care. This is a concern to us.

I said very clearly, and I repeat now for the record very clearly, we have to determine, is this just a ploy for more money that can be wasted? If it is, it's a shoddy ploy. If it is legitimate, we're prepared—

The Deputy Speaker (Mr Michael A. Brown): Thank you. Supplementary.

Mr McGuinty: Premier, you are now making it a regular habit of yours to demean the office of Premier. The only thing that is shoddy here is your continuing disrespect for the people of Ontario.

What I'm asking you to do, once more, on behalf of those people who dedicate themselves to the care of our parents and our grandparents, those volunteers who work for our CCACs, whom you have just demeaned here in one fell swoop, I'm asking you, Premier, to stand up and apologize to those people who dedicate themselves to our parents and our grandparents.

Hon Mr Harris: I don't think any government has done more for seniors than this government has, particularly in the area of massive increases in drug costs, in home care and in building of long-term-care beds and of those facilities. But we clearly have some challenges and some problems out there whereby we're putting millions and millions of dollars more money in and we're not getting as good results as we should get. This is a

challenge and it is something we are looking at. If it is a simple ploy for money, it's a shoddy ploy; if it's legitimate, we'll look at it.

Let me say this: I'm happy to repeat that and I'll tell you why. What I have brought to this office of Premier is telling it like it is, honestly, up front; something that's been lacking from the two parties opposite in this Legislature.

Interjections.

The Deputy Speaker: The member for St Catharines. New question, the member for Ottawa West-Nepean.

1520

INVESTIGATION INTO CHILD ABUSE

Mr Garry J. Guzzo (Ottawa West-Nepean): My question is for the Solicitor General. On July 31, 1998, Detective Sergeant Pat Hall of the OPP, the lead investigator in the Project Truth investigation in Cornwall, signed a receipt acknowledging documentation served upon him by the citizens' committee of that city. As a result of that evidence, an additional 40 charges were laid by Project Truth, following July 31, 1998. These documents are the same documents that were served on two branches of our government on April 8, 1997. July 31, by my calculation, was 67 weeks after April 8. My question is this: as the top police officer in the province, would you explain to this House, to the people of Cornwall and to the people of Ontario, particularly those serviced by the OPP, how this could have come to pass?

Hon David Turnbull (Solicitor General): Information received by the Ontario government relating to any criminal activity is turned over to the appropriate police service. The Solicitor General does not, and must not, direct the day-to-day operations of any police service, including the OPP. Police must be able to conduct their investigations free from political interference. This is a fundamental principle of the justice system.

Mr David Christopherson (Hamilton West): What are you going to do about it?

Hon Mr Turnbull: I find it passing strange that a former Solicitor General would be saying what he is saying. You know it is inappropriate for the Solicitor General to be involved in day-to-day operations.

Interjections.

The Deputy Speaker (Mr Michael A. Brown): Order. I remind members that I need your assistance to maintain order in here, and it would be very useful if members addressed their questions and responses through the Chair as the standing orders require.

Supplementary?

Mr Guzzo: Also to the Solicitor General: two weeks ago in this House, your colleague the Attorney General refused to speculate on how long it might take to provide you and the Ontario Provincial Police with legal opinions on charges still pending. Mr Miller of the OPP has been reported as stating that he has been waiting for over one

and a half years for an opinion on one file. During a recent trial in Cornwall, it was reported that all OPP briefs with regard to these matters were dated 1999 or earlier. This means that at the end of this month all of these opinions will have been awaited for a period of one and one half years.

Minister, you are the client here and the Attorney General is your lawyer. I've canvassed the lawyers in our caucus to see if any of them have known of any situations where we've kept the client waiting one and a half years for an opinion, and I have been assured they know of no such situation. My question is simple: I want to know how long you're prepared to wait, three months, three years or, as in the case of the training school debacle, are we going to wait over three decades?

Hon Mr Turnbull: Legally such an investigation has got to be thorough. Police and crown attorneys must be able to make determinations free from interference from politicians. It would be most inappropriate for me or in fact any member of the government to direct the police or crown attorneys to lay criminal charges against any person. I'd like to remind all members that the book is not closed on the possibility of additional charges.

EDUCATION FUNDING

Mr Gerard Kennedy (Parkdale-High Park): I have a question for the Minister of Education. Minister, today you came to this House with this bill and in it what you are essentially doing is continuing the tradition established by your predecessors. You think you're going to fix problems in education, many of them of your own making, by ordering people around. You're going to boss them, you're going to make them do things and, in this case, you're going to get three-year contracts just because you say so.

The track record of your government is abysmal: five times as many days lost—1.7 million during your government versus the years before. You expect to come up with three-year deals. This year you gave the school boards \$10 million less to operate with than they had last year.

Minister, I want to ask you today—because we want to see whether or not this is a bill of some significance or an intention of any kind on your part—will you provide to the school boards of this province three years' worth of stable, adequate funding for excellent education? Will that come from you today along with this bill?

Hon Janet Ecker (Minister of Education, Government House Leader): First of all, if the Liberal Party's position is that annual bargaining is a good thing for the students, they should say so. But we've heard very clearly from students, from parents, and from teachers, as a matter of fact, that annual contracts have created a great deal of disruption, a great deal of hassle and a great deal of stress for all involved. Some federations, for example, have tried very hard to do longer-term agreements with school boards, and some school boards have done that. We have had unions and school boards that have had

two- and three-year agreements. They've been able to make that work. They've said that was a helpful thing for students and teachers. We agree. This legislation is asking all school boards to do longer-term agreements, three-year agreements, to use the 360 million net new dollars to the education system this year to reach responsible, fair agreements.

Mr Kennedy: It is extremely unfortunate that you had a chance to put forward something that would actually make a difference to students and instead you're continuing on a line of attack. In the same bill today, you take away power from the Ontario College of Teachers. You show disrespect to every working teacher in this province by taking away from there the ability to set standards, which every other profession in this province does.

Minister, you have been neglectful in not defending public education. Your own study from the UN says that the diminishment of the range of programs and services in the public system that we will be able to afford will occur because of your private school vouchers.

Last year, under your watch, 4,400 teachers left teaching in this province due to your particular policies, for reasons other than retirement. The students need peace and they need stability. Will you do something positive? Will you provide for the funding? Will you convene a meeting of the stakeholders to make sure that people have a chance to really have peace? Minister, will you—

The Deputy Speaker (Mr Michael A. Brown): The question has been asked.

Hon Mrs Ecker: First of all, to the honourable member, I meet regularly with all of our stakeholders. As a matter of fact, I had meetings last week and I had meetings again this week. I continue to do that as part of the job.

Secondly, there has been no change in the authority of the Ontario College of Teachers. We should make that clear. But do you know what? The honourable member's party just voted against a piece of legislation that implements what the Royal Commission on Learning recommended: mandatory recertification for teachers. Do you know what the Liberal Party's policy is? All new teachers will be required—a rule, mandatory, the Liberals say—to pass certification exams. Every new teacher will be required to meet a rigorous entrance exam. "We will insist that all teachers continue to improve their teaching skills," said Dalton McGuinty. So here they are, "Let's have recertification, let's have that for teachers," and then they voted against it. The Liberals voted against it, mostly—

The Deputy Speaker: New question.

1530

SAULT STE MARIE ECONOMY

Mr Joseph Spina (Brampton Centre): After the flopping of the halibut from the Liberals, I'm not sure what is happening here.

Interjections.

Mr Spina: It's like a flounder on the beach.

The Deputy Speaker (Mr Michael A. Brown): Do you have a question and to which minister?

Mr Spina: My question is for the Minister of Northern Development and Mines.

Minister, yesterday the member for Sault Ste Marie made a number of accusations of government inaction in his riding. As a former parliamentary assistant, as a person who was born in Sault Ste Marie, as a person who was raised in the Soo, who still has family there and I spend a lot of my personal time there, I've seen positive impacts of this government on that community. Maybe you could outline for the House some of what those impacts were.

Hon Dan Newman (Minister of Northern Development and Mines): I want to thank the member for Brampton Centre for his question. As the Minister of Northern Development and Mines, I've been fighting for projects that will stimulate the northern economy and keep the best and brightest in the north at home.

Since October 1996, the Mike Harris government, through the northern Ontario heritage fund, has committed over \$16 million to 18 projects in Sault Ste Marie. Importantly, this funding has leveraged an additional \$33.4 million and has helped to create 120 direct and 259 indirect jobs in Sault Ste Marie.

We also provided a contribution of \$25,000 toward the Sault Ste Marie innovation centre study, and the Ministry of Energy, Science and Technology approved \$1.2 million toward the GIS component of the technology facility. As well, Premier Harris announced \$2.7 million—

The Deputy Speaker: The member for Brampton Centre.

Mr Spina: Thank you, Minister. Obviously the member from Sault Ste Marie doesn't acknowledge a nickel of the investments that this government puts into that community.

Now he claims that the community needs some extra attention because of the Algoma Steel restructuring. That's an important economic element to that city, and I know the Speaker is also interested because there are people working in that steel mill from his riding. Minister, what are we going to be doing to try to help the community of Sault Ste Marie with its economic development?

Hon Mr Newman: We've made many investments in the Sault Ste Marie area on behalf of the Mike Harris government to build strong northern communities in Sault Ste Marie and across northern Ontario. In fact, last Friday I attended a conference of Great Lakes and St Lawrence mayors in Sault Ste Marie, and had the opportunity to announce a \$100,000 heritage fund contribution toward tourism in the Sault Ste Marie area. I think Mayor John Rowswell of Sault Ste Marie ought to be commended for doing an outstanding job in hosting this conference of his colleagues from across Canada and the United States.

When you look at the unemployment rate in Sault Ste Marie under the NDP in 1993, it was 18.5%. Under the Mike Harris government it has dropped by more than 10%, to a low of 8.2% in February of this year. Furthermore, the NDP removed \$60 million from the northern Ontario heritage fund in order to make their books look better prior to the election.

COMMUNITY CARE ACCESS CENTRES

Ms Frances Lankin (Beaches-East York): My question is to the Premier, and I want to return to his comments about community care access centres. Today, you said in this House that your government has provided not one penny less in funding to community care access centres. I provided you with the example of Kingston, where you're providing \$1.5 million less this year than you funded last year. I provided you with the example of East York, where you're providing \$1.7 million less this year than you provided last year. Let me give you the example of Manitoulin-Sudbury, where this year you're going to be providing \$22.5 million. Last year you gave them \$23.3 million.

Those are real dollars that provided real services to real seniors. Those real dollars are being cut, and those real services are being cut. If you want to review the operation of CCACs, here's another way to do it: provide the funding for the needs-based budgets that have been identified, and then do your review. Don't do your review at the expense of cuts to services to seniors. Please, please, Premier, apologize to CCACs and restore that funding.

Hon Michael D. Harris (Premier): I stand by the statement that there is no budget this year that is any less than it was budgeted last year for any of the CCACs. I think you're talking apples to oranges. You may be talking about some of the deficits. I don't know what you're talking about. The money that we budgeted for CCACs this year is the same as it was last year, and that's the same for all CCACs.

In addition to that, there are some challenges. We understand that and we appreciate that. We have some CCACs that got massive amounts of new money but were not providing more services to our seniors, and we are taking a look at that.

Quite frankly, all is not perfect out there with the delivery of home care. I think when situations like that arise it behooves the minister to take a good look at how the CCACs are operating.

Now, we did have governments here from 1985 to 1995—

The Deputy Speaker (Mr Michael A. Brown): Thank you. Petitions.

PETITIONS

NURSES

Mr James J. Bradley (St Catharines): I have a petition that is to the Legislative Assembly of Ontario:

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

"We, the undersigned, petition the Legislative Assembly as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; and ensure front-line nurses play a key role in health reform decisions."

I affix my signature, as I'm in complete agreement with this petition.

EDUCATION TAX CREDIT

Mr Rosario Marchese (Trinity-Spadina): To the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government plans to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I support this fully.

ELECTRICITY GENERATING STATION

Mrs Margaret Marland (Mississauga South): I am presenting this petition on behalf of the member for Oakville, Gary Carr, and myself as the member for Mississauga South. Obviously, the member for Oakville, being the Speaker, is not able to present petitions.

This is a petition which reads as follows:

"Whereas Sithe Energies Canadian Development Ltd is actively pursuing the development of an 800 MW electricity generating facility;

"Whereas the 14-hectare parcel of land on which the station is proposed is located on the east side of Winston Churchill Boulevard in the Southdown industrial district of Mississauga;

"Whereas Sithe has stated its commitment to an open dialogue with communities where it has a presence and to being responsive to the concerns of the same; and

"Whereas the government of Ontario has a responsibility to ensure the safety of Ontario citizens and to determine how this facility will impact those who live in its immediate, surrounding area,

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the government of Ontario direct the Ministry of the Environment to undertake a formal environmental assessment of the Sithe project."

I am happy to add my name to this petition.

NURSES

Mr Michael Bryant (St Paul's): To the Legislative Assembly of Ontario:

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions."

I happily affix my signature to this petition.

1540

EDUCATION TAX CREDIT

Ms Shelley Martel (Nickel Belt): I have a petition that's addressed to the Legislative Assembly of Ontario.

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and will deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure;

"We, the undersigned, petition the Legislative Assembly as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I have affixed my signature to this petition.

DOCTOR SHORTAGE

Mr Gerry Martiniuk (Cambridge): This is a petition to the Legislative Assembly of Ontario.

"Whereas on September 27, 1997, Cambridge was legally designated underserved, having an insufficient number of family doctors for its citizens; and

"Whereas thousands of men, women and children in Cambridge are not cared for by their own family physician and this unfortunate situation exists in other Ontario communities;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the Ontario government substantially increase the number of family doctors in Cambridge and other underserved areas by:

"1. Permitting substantial numbers of qualified and highly competent foreign-trained family doctors the right to practise in Cambridge and other underserved areas in Ontario; and

"2. Substantially increase the number of available student spaces in Ontario medical schools and require new graduates to serve in Cambridge and other underserved areas in Ontario."

I attach my name thereto.

EDUCATION TAX CREDIT

Mr Dave Levac (Brant): "To the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call upon the government of Ontario to withdraw its plans for two-tiered education and properly fund public education in Ontario."

I sign my name and provide this to our page, Ashley.

Mr Peter Kormos (Niagara Centre): I've got a petition addressed to the Legislative Assembly of Ontario. Come on up here, Adam. You're going to take it to the table for me.

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I have signed that as well, along with hundreds of others.

Mr Bob Wood (London West): I have a petition signed by 132 people.

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

LEGISLATIVE PAGES

The Deputy Speaker (Mr Michael A. Brown): When I was introducing the pages this afternoon, I inadvertently neglected to mention Brittainy Nutley of Thunder Bay-Superior North. We want to welcome her.

Start the clock. Petitions.

DOCTOR SHORTAGE

Mr Michael Gravelle (Thunder Bay-Superior North): Thank you very much, Mr Speaker. That was very kind of you.

Premier Harris will be coming to Thunder Bay on Thursday, and we have a petition, signed by 40,000 people, related to the physician shortage crisis in Thunder Bay. I'd like to read it to the Legislature as I have on previous days.

"Dear Premier:

"Our community is facing an immediate, critical situation in accessing physician services and in providing hospital care to the people of northwestern Ontario. While the recruitment and retention of physicians has been a concern for many years, it is now reaching crisis proportions. Training more physicians in northern Ontario is certainly the best response to this problem in the longer term. We are, however, in urgent need of support for immediate short-term solutions that will allow our community both to retain our current physicians and recruit new family doctors and specialists in seriously understaffed areas.

"Therefore, as residents of Thunder Bay and northwestern Ontario, we urge you to respond to our community's and our region's critical and immediate needs. For us, this is truly a matter of life and death."

Mr Speaker, I'm passing it off to Brittainy Nutley, our hard-working new page from Thunder Bay-Superior North. Welcome, Brittainy.

EDUCATION TAX CREDIT

Mr David Christopherson (Hamilton West): I have a petition addressed to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas tax credits for private schools will create two-tier education; and

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools; and

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests; and

"Whereas tax credits for private schools effectively create a voucher system in Ontario; and

"Whereas the Harris government has no mandate to introduce such a measure,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I add my name as I am in support of this petition.

WATER HEATER TEMPERATURE

Mr Marcel Beaubien (Lambton-Kent-Middlesex): I have a petition addressed to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas the week beginning May 28, 2001, is recognized as Safe Kids Week in the province of Ontario and we want our children to always be safe, but sometimes children get burned by hot water when they wash their hands or climb into the tub; and

"Whereas we want Ontario to be the safest place in Canada to live, work and play,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To enact or amend such legislation or regulation as necessary to provide for the factory-set temperature of residential hot water heaters to be 49 degrees Celsius."

I will sign my signature to this.

EDUCATION TAX CREDIT

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I have a petition to the Legislative Assembly of Ontario.

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their children out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will take money from an already cash-starved public system;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I will affix my signature to this petition.

1550

Mr Wayne Wettlaufer (Kitchener Centre): Yet again I have hundreds of signatures on petitions from the ridings of St Catharines, Ancaster-Dundas-Flamborough-Aldershot and Hamilton East.

"To the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I am happy to affix my signature.

NURSES

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario.

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax

cuts; ensure front-line nurses play a key role in health reform decisions."

This is yet another group of petitions. They now amount to over 12,000 signatures of people who share this concern, and I affix my signature in full agreement with their concerns.

ORDERS OF THE DAY

AMBULANCE SERVICES COLLECTIVE BARGAINING ACT, 2001

LOI DE 2001 SUR LA NÉGOCIATION COLLECTIVE DANS LES SERVICES D'AMBULANCE

Resuming the debate adjourned on June 11, 2001, on the motion for second reading of Bill 58, An Act to ensure the provision of essential ambulance services in the event of a strike or lock-out of ambulance workers / Projet de loi 58, Loi visant à assurer la fourniture des services d'ambulance essentiels dans l'éventualité d'une grève ou d'un lock-out de préposés aux services d'ambulance.

Mrs Sandra Pupatello (Windsor West): I'm very pleased to speak to this bill, which the Minister of Labour introduced with great fanfare. I will be sharing this time with the good member from St Catharines, Jim Bradley.

I'm very pleased to speak to this bill. The Minister of Labour stood in the House the other day and introduced it and talked about it as if it were some innocuous little nothing, something that has to happen.

The truth behind this bill, dropped by the Minister of Labour, has fairly wide implications, once again, for our health system. We are looking at a system of emergency medical services around Ontario today that is under siege, like most of the health system, I would suggest, after the Premier's performance today in the House when he dared to suggest that volunteer boards of community care access centres across Ontario are engaging in "shoddy ploys" to access more resources, instead of this government having the real nerve to address the real problems in health care.

The paramedics are just one more group in the line who are having a tremendous amount of difficulty with the crisis created by this government. It began in 1995-96 and has continued every year since Mike Harris took office as Premier. He has cut hospital budgets. What did that mean? We know how interconnected the health system is. We know that they cut those services and then, with great fanfare, launched the restructuring commission that went around Ontario. What did it do? It closed emergency rooms. It closed the very places where paramedics bring sick people. The result of that is that there are fewer emergency rooms for paramedics to bring sick people to and it causes inordinate delays in having

people access emergency services. We all hear the stories in our communities about extended waits.

But from the paramedics' perspective, they have been under stress at their work, realizing they are spending more and more time driving around, with hospitals on critical bypass, because they can't find an emergency room to drop off their sick people. We realize now that they spend more and more time sitting, biding their time in parking lots, waiting to discharge their patients, waiting for the authorization to go out and get other people as more calls come in. All this week we have advanced statistics that prove they are having more and more trouble doing their job.

In the midst of all this, and in the middle of these last six years, the government, under its Who Does What panel, which became just a hodgepodge of services strewn back and forth across the Ontario government and its local municipal partners, decided to download ambulance services. It decided to say to municipalities, to cities and towns across Ontario, "You do it." My mayor in the city of Windsor, who has never been responsible for ambulances before, is now wholly responsible for 50% of the cost and the full responsibility for having to manage ambulance services. It was certainly a novel idea for municipalities to have to run this thing, and there you have it.

After they download ambulance services, they decide to set standards. What we know in our vastly diversified Ontario is that it should take about 13 minutes in semi-rural areas to have an ambulance come your way. In rural areas they say it should be about 15 minutes. In urban areas it should be about nine minutes. What we know now is that even when the Ministry of Health was running the service, these response times weren't anywhere close to being met. So they download the responsibility on to cities and towns across the province and then they say to them, "By the way, you need to get it up to standard."

Now, as we go through the summer, when most of the paramedics across Ontario are looking at the end of contracts and negotiations going on, and realizing we are in the midst of major labour strife just on the horizon because of very, very stressful working conditions created by this government, the Minister of Labour stands up, flamboyant as always, and says, "We are going to take away their right to strike." And guess what? The paramedics don't want the right to strike. The paramedics want to be known as an essential service. Like whom? Like our firefighters, like our police—a service that seems as though it is an essential service. Of course it is. Are they being treated like the police and the firefighters? No. Are they going to be offered the same binding arbitration the firefighters and the police have? No. Does Minister Stockwell understand this? Yes.

Has he allowed any opportunity for hearings? Has he allowed any opportunity for amendments to be forwarded so the groups that are impacted by such a decision—like the cities and towns of Ontario, like the paramedics themselves—can offer amendments to such a bill? No.

He just stands in the House, as flamboyant as ever, and says, "Oh, it's just a nothing bill." In fact, all he says is, "It's about making them an essential service." It's not about making them an essential service. What it's about is trying to catch it early. Take away the right to strike and you know what you're headed for through the summer and into the fall when these contracts come due. This government has once again created such labour strife right across the board in health care by the very people who have to serve our constituents day in and day out with undue circumstances that have changed dramatically for the worse every year of a Mike Harris government, and now, to try to nip it in the bud, he's going to introduce such a bill.

If he were going to do the right thing, he would allow the same conditions that apply to the police and the firefighters. That would be the appropriate thing to do. That is not what this Minister of Labour chose to do. Instead, he's decided to play cheap politics, decided to just say all the right words but introduce a bill that does none of that. Instead, every city and town—whether it's the association of municipalities, which doesn't truly understand what this bill will do—will be the ones to bear the brunt. As municipalities get into negotiations from September onward, they will be left with whatever additional costs come out of the negotiated contracts. Do the mayors or the reeves of every city and town understand the financial implications that they can hardly afford?

We see now what is happening across the province with this grand downloading exercise that has cost them, and as a result the ratepayers are simply paying more. It strikes me and it strikes my neighbours in Windsor that we are paying more for everything, thanks to Mike Harris: more for our energy bills, more user fees, more for our seniors.

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Yesterday they decided to start this discussion about drug coverage. Seniors in my own hometown of Windsor are already calling and saying, "Can this be true?" Could this Premier actually support the notion of removing coverage for drugs for our seniors, the very people who have put us here by being long-standing taxpayers to the system? Those are the same seniors who developed the system we all enjoy today and now you want to pull the rug out from under them.

The ambulance workers are no different. They are asking for some very basic things that are very reasonable. They want an appropriate binding arbitration. They don't want this Minister of Labour to make a selection of who the arbitrator is going to be. They want the same conditions that apply to the police and the firefighters, and that's a very reasonable thing to ask for. Anyone who is sitting outside and watching this would say, "How are they any different? They're an essential service like the police and the firefighters. Why should they be treated any differently?"

Behind all of this is the one, true red light that should be flashing now for cities and towns: they will pay and

they will pay more, because the downloading exercise we put our cities and towns through has now landed ambulance service—it is inappropriate, in my opinion, that a service like that should be driven at a municipal level by the local cities and towns. Nonetheless, the province is paying 50% and the cities and towns are paying 50%. But 50% of what? It is 50% of what was agreed to last year, after which we discover that they are not meeting the standards of ambulance service we want, and now, after the fact, we're deciding to sit down and consult on what those standards can be. Guess what? We assume the standards should be higher, because we're not even meeting them now, and the cities and towns will be on the hook for 50% of whatever that is, but the province is going to stick with what they decided to fund last year. Once again, if there was ever an example of a shoddy ploy, that would be it.

I'm just being informed that I'm able to go a little further in this discussion about ambulance service. We have to address the crisis in our emergency rooms. We have to talk about working conditions for our paramedics. I have spent an hour at 2 am in our emergency rooms, either Windsor Regional or Hotel Dieu. I sit and watch these people coming off the ambulances. I watch the way they work, I watch the rush to get these people in and I am sitting in an emergency room full of people.

We have talked repeatedly about emergency services that have to be there when people need the service. This Ontario government has allowed the system to fall apart. The people who are taking the brunt of that service are our paramedics. The request they are making today for amendments to this bill, to make it reasonable, to make it like the police and the firefighters, is a reasonable request this Minister of Labour ought to consider. Thank you, Mr Speaker.

The Acting Speaker (Mr Ted Arnott): Member for Windsor West, did you indicate you were going to be sharing your time with any of your colleagues?

Mrs Pupatello: Yes. St Catharines.

The Acting Speaker: I recognize the member for St Catharines.

Mr James J. Bradley (St Catharines): I am always pleased to share my time with the member for Windsor West. I think she has outlined very well our concerns about this piece of legislation.

Essentially, I think the public should know that the paramedics in this province believe they should be declared an essential service. We recognize, for instance, that firefighters, police officers and nurses in this province are considered to be essential. All of them are dealing in life-threatening circumstances. In the case of nurses and paramedics, they are dealing with individuals who may have a serious illness or who may have had a trauma that causes them great problems for life and limb.

I think most people in this province would concede, if you asked them, if you went door to door in any neighbourhood, that paramedics are an essential service,

and therefore they would not want to see them exercise the right to strike.

They have said to us and to the people of this province that they're prepared to accept that, and that's a loss of a right they would have. Remember, they're entitled to that right, as are many others who are employees of various employers in the province.

They have said, "We understand we are essential. We're prepared to accept that we will not have the right to strike. What we would ask in return, in fairness, is unfettered ability to have arbitration."

Now the government says, "Well, they're essential in one way and they're not essential in another way, because we're going to let some of them go on strike, but if there's a strike on we're going to allow replacement workers. We're going to allow adjustments to be made to ensure that service is still there." So that the strike, in effect, if they are determining that as an appropriate sanction, is not going to be successful as an appropriate sanction.

So they're saying, "We're prepared to give that up. Please give us unfettered arbitration," and the government has said it's not going to do that. Now they have suggested to the government that amendments be made in three specific areas. I think they're reasonable amendments.

They're looking for guaranteed access to fair interest arbitration; that makes all kinds of sense to me. The board should not only have the power to judge if no meaningful right to strike has occurred; if this is found true, then the board should immediately order arbitration. The other options provided in the legislation—further negotiations, mediation—would likely have been exhausted during the primary bargaining and conciliation stage. It only makes sense to come to that conclusion.

They're looking for fair power of appointment. Where an appointment of an arbitrator is needed, the minister should be required to appoint a trained and experienced arbitrator, not somebody who's contributed to the Conservative Party and that's their only qualification, not somebody who supports the government or is likely to come down on the side of the employer, but someone who is trained in this, who has knowledge in this field, who knows what the issues might be and who can come forward with fair arbitration so that at the end of the day both sides, the employer and the employees, are going to be accepting of it—if not giving it a standing ovation, at least accepting of it. The nature of the arbitration process requires that arbitrators be impartial and independent. There's no government interference, in our view, because if there is government interference, of course, it's not going to be impartial and independent.

I think that's what happens when we have withdrawn the right to strike from people in the province. We've said, "We understand that's a major right that you have and we're prepared to concede then that you should have unfettered arbitration because you have no right to strike under any circumstances."

Third, they've asked that the arbitrators use the same criteria as for fire, police, and health care workers. Bill 58 tacks on extra criteria that those who are paramedics in this province find unacceptable. My colleague from Prince Edward-Hastings last night talked about a couple of areas that were rather interesting. He was looking at the bill and going item by item in the bill on the conditions under which the arbitrators must work. It didn't sound to me like it was either impartial or unfettered or, for that matter, fair, and it seems to me that's what they're looking for.

I understand that the government does not want strikes. I know there are a lot of contracts coming up. I understand the government doesn't want strikes. I understand the employers—whoever they happen to be, municipalities or others—don't want strikes to occur. But I'm going to tell you who else doesn't want a strike to occur, and that is paramedics themselves.

Paramedics, remember, are people who perform not only the transportation of people who are in dire straits, medically speaking, but also administer to those individuals. Often the early intervention of a paramedic, either when they arrive on the scene or during the transportation of a person who's been in an accident or a person who's suffering from a serious affliction or illness, is what makes the difference in either saving that person's life or ensuring that the consequences of the accident aren't more dire, or that the disease does not progress to a worse state.

An example would be, of course, a person having a heart attack, where paramedics administer to that person and often that early intervention makes a difference between that person ending up in pretty difficult circumstances, perhaps incapacitated for life, or even dead—which of course is the worst consequence of all—and that not happening. Their intervention is essential there.

I have not found a paramedic in this province who says, "I would like to go out on a strike," but they do want a fair contract. The only way they get it, either they have the right to strike and utilize that sanction or they're declared an essential service. They're bright people, they're knowledgeable people, they're fair-minded people, they're responsible people, because they know they serve the public. So what they have said to us as legislators is, "We are prepared to forgo that right to strike. Now give us a fair shake."

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I don't think you're going to see people holding anybody up for ransom. They're not going to be expecting that they're going to get arbitrators who are going to come down heavily on their side. What they're worried about is that the government is going to appoint arbitrators and a process and put conditions on the arbitration process which result in paramedics in this province not having the fair shake they deserve, either in terms of wages or in terms of working conditions, which are extremely important, or in terms of additional benefits that are negotiated during the contract.

It seems to me that we in this House have an opportunity to address this issue. The government has brought in a bill. I have met with representatives of the paramedics in this province who have said if there were appropriate amendments made, as they have recommended, they could see this bill being supportable. So far I have not had an indication from the Minister of Labour that he's prepared to make those particular amendments to his legislation. This legislation likely could have gone to committee very quickly if the opposition had some guarantee the government was going to make meaningful amendments to it. Without those amendments, this bill is simply not supportable because it does not guarantee an unfettered process, a fair process.

When we think of collective bargaining, collective bargaining works most successfully when both the employee and the employer feel there has been a good process, there has been give and take, there have been knowledgeable negotiations, they have had either mediation that has been helpful to them or arbitration which has been helpful in delivering a contract which is acceptable to both sides. So unless this government is prepared to amend this legislation—and I urge them to do so—I think it would be impossible for either of the opposition parties to support this particular legislation.

The Acting Speaker: Questions and comments?

Mr Peter Kormos (Niagara Centre): In the brief two minutes that I have in responding to statements previously made—I should tell you the member for Hamilton West is going to have the floor in just a few minutes—problems: one is, I don't think the Minister of Labour understands what the real impact of this legislation is. The Minister of Labour reads the word "arbitration" and says, "Oh, well, what the heck. That's arbitration." But the arbitration regime being imposed upon paramedics in this bill is not arbitration; it's the farthest thing from it. This bill removes from the historical arbitration process those things like natural justice, those things like equity and fairness that have evolved over the course now of centuries of arbitration history. They call it arbitration, but it's the farthest thing in the world from arbitration.

The bill says that paramedics have the right to strike, but it's rigged so that there is no meaningful right to strike, because at the end of the day the government's Ontario Labour Relations Board sets the level of essential workers so that they'll tell those paramedics, "Oh, yes, you're entitled to one and a half workers, one and a half paramedics, to staff a picket line." So there's no right to strike, there's no arbitration.

Historically in this province, and as a result of the efforts of workers over the course of decades and generations, when workers lost the right to strike as a result of being perceived as essential workers, the counterbalance was fair arbitration. It's as simple as that. The minister can't seem to get that into his head.

The minister has not once met with those paramedics, be they OPSEU paramedics, be the CUPE paramedics, be they SEIU paramedics, who have some very important

things to say to the Minister of Labour. In view of the fact that the Minister of Labour has not consulted with these people, it's the New Democrats' position that there have to be public hearings. Otherwise, this minister is going to be creating a state of crisis and chaos that ain't nothing compared to what we've seen so far.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): It is a pleasure to join in the question-and-answer comments this afternoon.

Let me recognize that the ambulance workers, drivers and whoever is involved in that delivery system, are key players in health care delivery. As you may remember, I did make a statement last week about Peel and Halton being among the top three places in Canada for the best health care delivery. I do want to acknowledge that.

I know there is a lot of fearmongering and everything from the other side coming through. What this bill does, the purpose of this bill, as you know—and I want to read it into the record—is “to ensure the provision of essential ambulance services in the event of a strike or lockout.” So we're not taking away the right to strike or the employer to lock out. Very clearly, the purpose of this bill—let me say it again if the member opposite didn't hear it—is “to ensure the provision of essential ambulance services in the event of a strike or lockout.” “It would require employers who,” in this case, “provide ambulance services and trade unions that represent employees involved in providing ambulance services to negotiate an essential ambulance services agreement.” So we're not interfering at all. We're making sure that in the meantime, as it goes on further, the services are provided while they are negotiating.

This bill is pretty innocuous, like the minister said before, and I'm sure he will be joining in the debate later on. This is a very simple bill, in fact, and this is right here. I encourage even people at home to read that.

Mrs Lyn McLeod (Thunder Bay-Atikokan): I very much appreciated the contributions of my colleagues from Windsor West and from St Catharines to this very important debate. I hope it's abundantly clear to anybody who is listening to the debate this afternoon that this government has not protected any meaningful right to strike for paramedics. You can't have a meaningful right to strike when you can't afford to lose the service. There is no such thing as a non-essential ambulance service, not when in the city of Toronto only 10 ambulances are available at any given time to respond to emergency calls. There is no non-essential transfer from another hospital or a nursing home to a hospital, or from a helipad to the nearest available hospital. There's no meaningful right to strike here.

I'm glad that my colleague from St Catharines mentioned the replacement workers provision in this bill. I imagine the offensiveness. First of all, there's no meaningful right to strike, and then you say, “But if you can identify a small group of people that you might allow to be off work for a little while, don't worry, employer, you can use replacement workers.” First of all, it's offensive; second, there are no replacement workers for

trained paramedics. You can't pull a driver in off the street and say, “OK, you're a paramedic.” Our paramedics work in teams. It's not just a driver of an ambulance, if you think you can let the driver go on strike and bring in a truck driver to drive the ambulance. They are both trained paramedics delivering medical care. You can't use replacement workers.

I'm glad my colleague also mentioned the change in the arbitration rules. It's not bad enough you don't give them a meaningful right to strike and you allow the employers to use replacement workers, but you take away any kind of fair arbitration process for what is truly an essential service.

This government knows full well, I say to the member from Welland-Thorold, if that's still the name of the riding, what they're doing. You don't go to court and lose in court because the minister has appointed arbitrators, come back with a piece of legislation that says the minister can appoint an arbitrator and it can't be challenged in court if you don't know what you're doing. This is a very carefully worded clause to make sure that this Minister of Labour would never be challenged for his appointment of an arbitrator again.

Mr Dominic Agostino (Hamilton East): I'm certainly pleased to add to what my colleagues said. When we talk about this piece of legislation, I believe clearly the Tory member across the floor has said it's just an innocuous, minimal piece of legislation, which obviously shows how seriously this government takes the concerns and the role of paramedics in this province. If you read the comments in the last few days from my colleagues, they keep talking about how essential the services of paramedics are across Ontario, how they equate them with the essential services of firefighters and police officers. They make it sound so wonderful, so warm and fuzzy.

All the platitudes in the world and all the niceties that you express are not matched by the legislation you have across the floor. What in effect you have done is taken away the right to strike to a significant degree. You're saying, “Well, you can kind of strike but you kind of can't; you can kind of have arbitration but you kind of can't have arbitration.”

The simplest thing for this government to do would be to withdraw this piece of legislation and bring in a piece of legislation that would put paramedics on par with the same arbitration process that is used for firefighters, that is used for police officers.

If you truly respect the work they do, if you truly believe that this work is essential—and I believe it is. I believe their response to an accident, to a heart attack, to a serious situation in this province and their intervention often means the difference between life and death for Ontarians. That is pretty basic, that is essential and it is necessary.

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Paramedics I've spoken to have said, “Look, take away the right to strike. Put in a fair process, though, because we understand we're essential. We understand

the community cannot carry on, cannot function, cannot be expected not to have this type of service." But if you're going to do that, and you should, put them on par with police officers and firefighters. Treat them with dignity and respect, not simply niceties in this House and then give them the back of your hand with this piece of legislation.

The Acting Speaker: The member for St Catharines has two minutes to reply.

Mr Bradley: Thank you very much to all the members who had a verbal intervention this afternoon in response to the speech from the member for Windsor West and my own. I have a concern about this kind of legislation because I know if I tried to get some information to find out what was behind this, and I had to go through the freedom of information process—I was reading in the freedom of information commissioner's report this afternoon that apparently if an MPP from the opposition or a member of the news media or an interest group asks for information, it's red flagged and all kinds of things happen to delay us getting that information, and it costs all kinds of money to get it, information that you and I as elected representatives would feel we would be entitled to.

I also worry about the level of consultation—
Interjection.

Mr Bradley: Well, it depends on how it's administered. My friend the Solicitor General intervenes and, of course, what has happened, since he provoked me into this—you know I didn't want to do this, but since he provoked me into this—

Interjection.

Mr Bradley: I'm just quoting what the commissioner has to say, a totally independent person. She's very worried about the freedom of information process because it's red flagged, there are all kinds of roadblocks put in the way of getting this information.

But dealing with this specifically from another aspect that one of the members mentioned, consultation, to my knowledge, paramedics in this province were not consulted in any meaningful way. In fact, they weren't consulted at all before this legislation came forward. I think that's important. Even if you don't accept absolutely everything they said, surely you owe paramedics in this province the courtesy of that.

I'm worried about the whole health care system when I hear the Premier this afternoon talk about a shoddy ploy by the board of directors of the community care access centres to get more money, then I see what's happening in the hospitals and now I see what's happening to our paramedics. I'll tell you, it doesn't paint a very optimistic picture in the field of health care in this province.

The Acting Speaker: Further debate?

Mr David Christopherson (Hamilton West): Let me just say at the outset that, again, thanks to Mike Harris's rule changes in denying democracy in this place, we just went from a bare minimum of 20 minutes that each of us was allowed as opposition members to speak to a very important bill down to 10 minutes. So, thanks again for

the opportunity and rights, the scraps that you leave for the opposition.

I also want to say that this government—and it's interesting the Solicitor General is in the House at the time—likes to talk about being law and order. Most people think of that as being, "911, I need the police; 911, I need the fire department." What I'd like to know is, what happened to the third part of that, which is, "911, I need an ambulance"? In terms of law and order, that's just as important. But you won't treat paramedics the same way that you treat firefighters and police. Why? What's the rationale?

The emergency response that we expect from these workers is just as onerous as it is for police or fire. The consequences of their actions are life and death, just like police and firefighters. They put their lives on the line, when you think about what paramedics do to get from point A to point B and the risks they take on our behalf. This government says they want to thank firefighters for that and thank police officers, which they should, but it begs the question, why aren't paramedics treated the same way? Is it because they belong to OPSEU or CUPE? Is it because you don't think they're as important?

There are two-minute responses after I'm done. I would like any one of the government members here, minister or backbencher, to tell me and my constituents and the paramedics that are here today why they aren't treated the same as firefighters and police, when we as a society demand from them the same sort of action and responsibility that we do from firefighters and police.

How insulting that you would bring in legislation that deals with the process of negotiations for the wages and benefits of paramedics and you didn't even talk to them ahead of time. How do you justify that one? Boy, I'll bet you wouldn't do that with the police, and you sure wouldn't do that with the firefighters. Why do you think it's OK to do that to paramedics? Why? They're here today. Any one of you stand up in your two-minute response and look them in the eye and tell them why it's OK to treat them as second-class citizens when it comes to the emergency response people and network that we have in this province.

You've put together a process that allows no opportunity for real, fair negotiations. It's insulting that any of you would suggest that this is a straightforward bill; it's anything but. It's clear what you're doing and, to a large degree, why. You downloaded ambulance services to municipalities. At the time, you said that all the downloading was revenue-neutral, and we know that's not the case, because even one of your own members, former member Toni Skarica, voted against your legislation because he said it's not revenue-neutral. So you dumped all these responsibilities on the municipalities, and now they're rising up and saying to you, "We can't meet the demands that are being placed on us, because you didn't give us the money. You gave us the responsibility, but you didn't give us the money."

So this is one of the things you're going to do for those councils that either decide this is what they want to do or that they have no other choice, but for councils that decide to hard-line it in negotiations with paramedics, the management side of negotiations has a distinct advantage because of the process. Let me say, and I want to underscore this message to all those trade unionists who think that their responsibility as an elected trade union leader ends at the bargaining table, what you do at the bargaining table is decided right here, and right now there is a law proposed that is going to leave paramedics at a distinct disadvantage.

For those few people to whom you do give the right to strike, if they ever get to that point, and I've got to tell you I'd be really surprised if that happened, but if that did happen, your law continues to say that scabs are OK in the province of Ontario, because you're the ones who repealed the NDP law that said scabs are illegal. Let me remind my Liberal colleagues when they want to talk about replacement workers, they support allowing scabs in the province of Ontario. So I suggest to you that you don't have a lot of room, Liberals, to be talking about scabs or replacement workers and whether that's right or wrong.

Now let me talk a little bit about this arbitration process that's in here, this nonsense. Imagine, we have a law that gives the Minister of Labour certain powers and authority under certain circumstances, in this case the ability to appoint an arbitrator if the two parties can't agree on one. This law says that no one—no one—has the right to take that minister and his or her decision to court because they feel they've been wronged. One of the basic, fundamental tenets of democracy is the absolute requirement that governments take actions that are deemed to be lawful only.

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If a citizen believes that you've done something that's not lawful, we, as citizens, have the right to take you to court, except in this case. You don't have the right to appeal the imperial decision of the czar of labour of the province of Ontario. Why is that? Because when the unions challenged your previous decision to appoint retired judges—as fair, as smart and as caring as they might be—the unions appealed that decision, your ability to appoint retired judges, because they knew that you have to have a certain level of expertise and experience to deal with labour issues. They are unlike anything else. The courts agreed. They said, "Do you know what? The government really is not being fair when they appoint these retired judges," so the courts overruled the Minister of Labour.

This government doesn't like to be overruled by anybody. How dare anyone suggest that Mike Harris and company can't do whatever they bloody well please? So this law now has a clause, like many others I'm afraid, more and more, that says that once the Minister of Labour makes an appointment of an arbitrator, no matter how it is, no one has the right to take that minister's

decision to court. Where is the democracy? Where is the fairness? Where is the natural justice?

You don't talk to anybody who is involved in this. Maybe you talked to AMO; you probably have. But you didn't talk to a single representative of the paramedics, not one. You've put in place a negotiation process that effectively handcuffs those workers from having the same rights to negotiate a fair collective agreement as their most immediate comparator, and that would be firefighters and police.

Then when we get down to the road that's supposed to supply some kind of fairness, where you deny people the right to strike because it is deemed to be an essential service—and that concept is not one that anybody opposes—that takes us to the issue of arbitration, and I've just outlined where you've denied those paramedics natural justice in terms of the appointment of an arbitrator. How are they supposed to win? How are they supposed to get a fair deal? Answer: they aren't. You never intended for this to be fair. You never intended for the rights of paramedics to be supported. You're going to ram this through and stomp on more workers' rights, just like you've done every year you've been in office.

The Acting Speaker: Questions and comments?

Mr John Gerretsen (Kingston and the Islands): Let me first of all say I'm surprised that a government member isn't getting up to at least answer the very simple question that the member just posed, because I agreed with just about everything he said. I think the member for Hamilton West is right on with just about everything he said today. I know he feels very passionately about employee rights in this province.

I would like to know as well, why didn't they talk to these people? For the life of me, I cannot understand when any government, of whatever stripe, wants to make changes in laws that affect certain people directly, why they wouldn't talk to those people. It's beyond me, it's absolutely beyond me.

I've got a letter here that is dated June 11 from Roberta Scott, who I understand is a former media relations officer of the Ontario Paramedic Association. She puts it in very simple terms. She said:

"We ask, out of respect for our profession and the 'essential services' that we provide, that you take the time to consult with us, listen to our specific amendments, and provide a more equitable and balanced bill for paramedics. Our hope is that after being given the ability to add some important input and amendments to Bill 58, it will become a bill that the Ontario Paramedic Association can publicly support and endorse."

You would think that would be the wish of any government, unless you're doing something to undermine the very people that your bill deals with. As far as I'm concerned, from reading the bill and from the argument that's been given, that's exactly the case here. The rights of the Ontario paramedics are not being enhanced, but in effect they are being denied in this bill. They are being shortchanged.

Hon David Young (Attorney General, minister responsible for native affairs): I appreciate having an opportunity to enter into this discussion. It is a good discussion. I should pause to reflect on how, from time to time within this chamber, things seem upside down and topsy-turvy. Parties that by and large are here to advocate for individuals to have broader and very liberal strike rights and work disruption ability in order to achieve a collective agreement, on other occasions come forward and suggest that right should be taken away in certain circumstances.

As my friends opposite, most of whom were here some time ago when they were in government, will likely remember, it is a difficult issue in which one must balance issues of service to the public with what is indeed a very important and very fundamental right within our society, one that allows for commerce to continue, one that allows for there to be labour peace and security, one that allows for rights to be reflected and properly maintained. As a government, one must come forward and balance the rights of individuals and organizations to strike in certain circumstances and, at the same time, to protect the public.

We believe this proposed legislation is a reasonable balance. It is not going to satisfy everyone out there, but as anyone who has ever been in government will understand, you can never satisfy everyone out there. You must do what you think is right in the circumstances, and that's what this proposal represents.

Mr Agostino: In response to comments made by my colleague from Hamilton West, he explained well the pitfalls in this legislation. I am somewhat astonished to hear the Attorney General talk about this government being concerned about the rights of workers or about protecting the right to strike. Please, don't do paramedics any favours. This is a government that has had a brutal record of beating up on working women and men across this province since the day it took office. Every piece of labour legislation has been detrimental to the people who work in Ontario. It has been in the interests of big business.

Now we have the government suggesting, "Gee, we're interested in protecting the right to strike." That's garbage and hogwash. This is not about protecting a right to strike. The paramedics have said, "Treat us fairly, give us a fair process, and you can take that right away because we understand how essential we are to Ontario." Nobody would suggest that police officers, nurses or firefighters should be able to go on strike. So for this government to try and lecture people in this House about protecting workers' rights, forget it—because your track record has shown that you're against working men and women and collective bargaining across Ontario.

Now you have an opportunity to treat a very important group of dedicated Ontario workers with the dignity, the respect and the rights they deserve. What you're doing with this piece of legislation is basically tying one hand behind their backs, putting a blindfold on them and saying, "Go in there and fight."

As I said before, there's a very simple solution. I don't understand why this government will not acknowledge the essential service these men and women provide every day and treat them with that dignity and respect. Nobody across the floor has yet said, and maybe in the next 20 minutes someone can tell us why they want to treat them differently than firefighters and police officers. You have 20 minutes so maybe somebody will address that—or 10 minutes; you have to cut it off.

1640

Mr Gill: It's my pleasure to join in the debate. One of the things the member opposite just said is as if this government is very bad for workers. To bring up this thing about working families, let me stress again: the best thing that has happened to working families is the Mike Harris government. I think it goes beyond saying. The reason I say that is because we have created more than 800,000 jobs, and that is the best thing that can happen to a working family.

Similarly, the best thing that has happened to the people who were dependent on welfare is Mike Harris's government. They now have a choice; they have work they can go to.

Health care is getting better, as I said before, in the last two-minute hit. In my riding, Halton-Peel has been chosen as the third-best in the whole country.

This bill does not take away any rights from the ambulance workers. This bill actually puts into law the practice that has been going on for the last 35 years in the city of Toronto. It's not taking away any workers' rights. They still have every right they had before. They can go to arbitration. We're going to make sure the services, which are very, very important services, are available. They are part of that equation: the doctors, the nurses, the health care workers. So I'm very happy to bring this housekeeping bill to the front and to be able to support that bill.

The Acting Speaker: The member for Hamilton West has two minutes to reply.

Mr Christopherson: Let me say to the member from Bramalea-Gore-Malton-Springdale, who just spoke, that it's so insulting to say this is housekeeping, so insulting. I don't know how you can do that. Do you think these individuals would be here if this was a housekeeping bill? Give your head a shake.

I want to thank the members from Kingston and the Islands and Hamilton East for their comments, but I want to direct the limited time I have to the remarks of the Attorney General.

I'll tell you, it sends a bit of a shiver down my spine that the Attorney General of the province of Ontario would stand up and talk about fundamental rights, about balance and about how difficult it is to find the right balance of rights among individuals and the public.

The first responsibility, if you're honestly looking for balance, is to talk to the people who are involved. How can you honestly believe a fair-minded person will think you actually care about fairness and balance when you don't even talk to the people who are involved? That is

so insulting. Attorney General, you either put your reputation on the line defending something that was on a piece of paper and you really didn't know enough about this bill, or you actually believe it. In either case, it's frightening to think that an Attorney General of Ontario would conduct himself or herself in such a fashion in this place. It's absolutely disingenuous for you to suggest you're supporting the right of paramedics to strike. You've got this whole formula in place that is meant to ensure that at the bargaining table paramedics do not have the same rights as other workers.

If we are going to declare them essential services, why don't they have the same arbitration rights as firefighters and police? Why don't you treat these emergency response workers the same as the others? I challenged you at the beginning; you didn't do it. And it's for a very simple reason: you can't defend this bill.

The Acting Speaker: Further debate?

Mrs Tina R. Molinari (Thornhill): It's a pleasure to be taking part in this debate on Bill 58 this afternoon. I think when we talk about essential services—and it's been mentioned by a number of members in this House—that ambulance services are in fact an essential service.

I want to clarify some of the comments that have been made. The member for Hamilton West, David Christopherson, commented on a clause within the bill, section 20(13). It reads: "No application shall be made, taken or heard for judicial review of or to question the appointment of an arbitrator or replacement arbitrator under this section or to review, prohibit or restrain any of the arbitration proceedings." I want to clarify that the same provision has existed in the Hospital Labour Disputes Arbitration Act since 1972. Why? It's to ensure decisions are not overturned by the court unless they are unreasonable. So that needed to be clarified.

There are a number of issues brought forward in this debate that are not totally clear and within the context of what we're discussing. When we talk about how essential it is to have ambulance services, if there is someone in need, if there's a pregnant woman who needs to get to the hospital and calls an ambulance, it's essential that that woman be able to get an ambulance. Someone who has a heart attack and calls an ambulance—that's essential. It needs to be there for the people of Ontario.

This has existed in Toronto for a very, very long time. Now that the municipalities are taking over the ambulance services, it's important, to be able to now provide the essential service, that ambulance workers be removed from those who are able to strike. What this does is allow negotiation of an essential service agreement prior to a legal strike or lockout. It provides for those who have the responsibility—the municipalities and those providing the service—to come up with an essential agreement. It's not a forceful type of legislation. It's enabling and allows an agreement to be reached so the service, which is essential—and I think everyone in this House agrees it is essential. What it does is provide for an agreement to be made.

We've talked a bit about how important it is to have ambulances available for us. The minister has indicated many, many times in this Legislature that this is a bill that will be enabling. It's a bill that has gone through extensive consultation. The government consulted with key workplace stakeholders, including the Ontario Public Service Employees Union, crown ambulance operators, the Association of Municipalities of Ontario and the Ontario Hospital Association.

The Ministry of Labour staff met with OPSEU on this very issue on October 26, 1999. So when those in this House question the minister's commitment to consulting and listening to the stakeholders involved, I really question how much knowledge they have as to what our minister is doing.

When OPSEU was asked what is the appropriate method of dispute resolution for ambulance workers, OPSEU's position was that arbitration is best. As a government, we must find a balance between the need to protect the public safety and the need to be responsible to taxpayers.

We are here this afternoon discussing a very, very important and essential bill, so I am pleased that a number of speakers have contributed to the discussion. I'd like to just go back a little while on how this came about—the framework of how this bill came about.

On January 1, 2001, the province transferred responsibility for operating land ambulances to the municipalities as part of the local services realignment program. With this transfer, the majority of ambulance workers in the province now have the unfettered right to strike under the Labour Relations Act, 1995. This legislation would safeguard public health and safety in the event of an ambulance service strike or lockout, as well as balance employer and employee interests in collective bargaining. It would create a framework for resolving labour relations disputes, which requires that prior to any strike or lockout, an essential ambulance services agreement be negotiated between the employer and the employees.

It would define the essential ambulance services that must be maintained to ensure public health and safety objectives are met. It would give all the parties access to a conciliation officer and the Ontario Labour Relations Board for assisting in creating these agreements. The Ontario Labour Relations Board could then direct the parties to continue negotiating, refer the parties to mediation, amend the essential services agreement or order all outstanding matters to binding arbitration. The right to strike would be maintained, but critical services would continue to be delivered. Those who are continuing to deliver these critical, essential services—which is what we all agree to, that they are essential—the negotiations for the labour agreement between the two parties would continue. Once the negotiation was completed and an agreement was reached, then those who had been continuing to provide that essential service would also benefit from that negotiated agreement.

1650

Historically, ambulance services were operated by three types of employers: the hospitals, crown agencies and the municipalities. Prior to divestment, 1,000 paramedics were employed by municipalities, largely in the city of Toronto. Services run by hospitals fell under the Hospital Labour Disputes Arbitration Act, with no right to strike; it was mandatory arbitration at that point. Services run by crown agencies fell under the Crown Employees Collective Bargaining Act, with a conditional right to strike; essential services agreements need to be in place prior to any legal strike or lockout.

As a result of the transfer in January 2001, most ambulance workers now fall under the Labour Relations Act and therefore have an unfettered right to strike. Of 88 ambulance service providers in Ontario, 26 have the right to strike, 32 services operated by hospitals have no right to strike and 30 services operated by crown agencies have a conditional right to strike.

I want to share some of the issues that have come up in my riding of Thornhill. One constituent called an ambulance and needed the ambulance right away because her father was having a heart attack. He had been ill for quite a while. They found the ambulance service was very responsive to their needs. She spoke to me and said that if there were ever to come a time when they wouldn't be able to get the ambulance when they needed it—if she wasn't able to get the ambulance at her door when they needed the ambulance for her dad, her dad would not be alive today. They are very grateful and they believe the essential service needs to be there.

If the ambulances were on strike and the paramedics were on strike, there would be no one there to provide this service for those who need it. Of course, one could get into their car and drive to the hospital, to the emergency, and take them there, but one does not know all the needs of a patient when they're ill. If a patient has a heart condition, they don't know how they're supposed to move the patient to get them into the vehicle to get them to the hospital. That's why we need paramedics and that's why the paramedics and the ambulances are essential, so that we can provide the best quality of active service for all the people in Ontario.

Many have said this is essential, so we all have an agreement on that. It's a matter of how we, as a government, are in a position to make changes, to make what is needed for the constituents and all of the taxpayers in Ontario, to provide that service for them. We believe this bill will do that.

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I just listened to the last speaker and I don't think everything is as rosy in all of Ontario as they suggest. If you want good employees, you have to listen to them and you have to have meetings with them from time to time. A little bit of give on both sides makes a happy employee, and this government doesn't do that.

They've taken on the nurses, they've taken on the teachers and they've taken on the hospitals and the ambulances. It's just one turmoil right after another. The

municipalities; this whole thing got off to a wrong start initially in our part of Ontario, where the upper-tier municipality was supposed to provide this service and that didn't happen at our end. It was the united counties of Stormont, Dundas and Glengarry with an upper-tier government and they were supposed to handle it, but I guess in the past two years there was some political dealing; anyway, it didn't go to those municipalities.

This government hasn't had a success story on working with employees and people who try to provide an essential service. You've got to have happy employees if you're going to get the service. It doesn't hurt to sit down and listen to what they have to say. If everybody gives and you listen to each other, a lot of good things will come out of it.

I know these people who came here today didn't come because they wanted to, but they think they have something to offer. I just wish the government would finally sit down and talk to many who provide the service and make Ontario what it is today, because everyone can learn.

I know we need them. We need the teachers, we need the hospitals, we need everything, but we all have to work together, and everybody will have a better province if that happens.

The Acting Speaker (Mr Bert Johnson): I wanted to remind those in the gallery that there is absolutely no response or movement or anything like that.

Mr Christopherson: It's interesting that in her remarks the member for Thornhill at no point attempted to answer the question that I posed and that I think is at the heart of this. That is, why do you want to treat paramedics differently than firefighters and police, all of whom respond to 911 emergency calls and all of whom have life-and-death decisions to make in terms of the course of their work every day? Please tell us why it's OK to treat paramedics differently, as second-class citizens, from firefighters and police. If you could explain that differential, then maybe some of your arguments would hold water. But in the absence of that, you're trying to defend the indefensible.

It was interesting and very telling that the member for Thornhill said the dilemma you faced as a government was that you had to balance the rights of the individual workers—the paramedics, in this case, and I wrote it down—and the need to be responsible to taxpayers, which was your rationale, I suppose, for why you've taken such a heavy hand with them.

My question would be, why don't you pose the same formula about firefighters and police? Stand up in your place and say, "We had to balance the rights of the individual workers and the taxpayer rights, and therefore we're not going to continue to give police the process that they have for achieving a collective agreement and we're not going to do it for firefighters." You can't do that and you won't do that, because you cannot defend that argument.

Lastly, the member talked about a meeting that took place on October 26, 1999. This is 2001, for goodness'

sake. Don't try to write off that as some kind of consultation.

The Acting Speaker: Comments and questions?
Mr Bob Wood (London West): I thought the member for Thornhill gave a very balanced and well-reasoned argument in support of this bill. What I took from what she said was that she felt it was a very important aspect of life in Ontario that one have the right to strike, where possible, and the right to free collective bargaining. She felt that could only be taken away where it was absolutely essential and in the public interest to do so. I thought she gave quite a good outline of the background of this bill and that she gave a rather compelling story. I think lying below what she said is this: it is possible to give ambulance workers the right to strike while at the same time protecting the public interest. Surely, that's only fair to them and fair to the people of Ontario. I found her arguments to be well-reasoned, well-thought-out and quite convincing.

Mr Christopherson: That's why the paramedics are here today. They want to express their thanks.

Mr Wood: I'm sure they will. As a matter of fact, when we have a chance to look back on this legislation—say in five or 10 years' time—I think we're going to find it has worked very well. Essential services agreements are not new to this province, and essential services agreements have worked very well and turned out to be, in the right cases—and I think this is one of the right cases—a very effective balancing of the right to free collective bargaining and the right of the public to the provision of essential services.

The member for Thornhill will have a chance to speak for herself soon. I thought she made a very clear and convincing case in favour of the bill and I thought she gave a very good outline of the background of events leading up to the bill. I congratulate her on it.

1700

Mr Rick Bartolucci (Sudbury): This is an issue of fairness and clearly the Ontario Paramedic Association is not being treated fairly. The government refuses to meet with them, to consult with them. They want to work with the government to provide for something that is in the best interests of everyone concerned here. These are dedicated individuals, professionals who want to help the government. That's why they're in the gallery today. They're crying out to this government, "Consult with us so that we have something in place that serves everyone's needs."

Well, this is the answer you're getting: the government is going to introduce a time allocation motion tomorrow on this bill. They are effectively cutting off debate. This bill will not go to committee, as you have requested, quite rightly. So it's not going to happen. There's going to be one day for clause-by-clause and then there is going to be 90 minutes for third reading. It is an issue of fairness, fairness for all, to protect the interests of all.

The Ontario Paramedic Association is asking for this government to listen to them. The response from this

government is, "No, we've decided how we're going to do it. Your input isn't important. The input of the professionals in the field isn't important." I say to this government, once again you have shown your disdain for the professionals who are working in this province but, more important, you have shown your disdain for the safety and the well-being of Ontarians at large. Quite frankly, the people in Ontario are getting tired of it.

The Acting Speaker: The member for Thornhill has two minutes to respond.

Mrs Molinari: I'd like to thank the member for Stormont-Dundas-Charlottenburgh, the member for Hamilton West, the member for London West and the member for Sudbury for entering into this debate this afternoon.

The government has chosen this approach rather than, for example, arbitration or ruling out the right to strike, because this approach balances the concerns of all key stakeholders. It encourages productive employer-employee relationships, which are promoted through freely negotiated collective agreements, and which include the right to collective action. Municipalities will be able to choose the method for delivering ambulance services in the most efficient manner to meet the local needs and priorities.

In developing this unique initiative, the government took the best elements from various jurisdictions while continuing to make public health and safety its highest priority. I believe everyone in this House holds that as the highest priority. I think it's safe to assume that everyone in this Legislature, indeed in the province, values the quality of health care. We've heard debates here in this Legislature often about the value of health care and the importance of it. As long as this is so, it is of utmost importance to keep in mind that in order to provide that kind of care, we must call ambulances an essential service and enshrine the declaration in the labour legislation.

These are the reasons that I'm going to support Bill 58, because it's important that this service, that remains essential, that provides for the needs of those who are ill, the needs of those who are in crisis, be able to respond to those needs and be able to save lives, because that's what these people do: they're able to save lives.

The Acting Speaker: Further debate.

Mr Gerretsen: The last member keeps talking about the fact that the ambulance service that we have in our communities is an essential service, and we all agree with that. The question that we've had this afternoon on an ongoing basis of the government members is, "Why don't you treat this essential service in the same way that you treat other essential services, such as the fire services, such as the police services, such as nurses in hospitals? Why don't you treat them exactly the same?" Not one government member, not one, has answered that question directly. That's what the people in the province want to know. It's a little bit like question period here, you know. Sometimes you can ask the most direct question of the Premier or of the cabinet ministers and

you don't get any answers either. This is exactly the same, and we still come—

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): And you're still screaming.

Mr Gerretsen: Yes, because we believe in democracy. We believe in holding you accountable, and the people of Ontario are going to hold you accountable two years from now, that I can guarantee you.

I'll tell you one thing. The remark that the Premier made in this House today about the community care access boards, the boards of the volunteers that deal with the community care money that's required for people for their in-home services today, when he called them in effect—what was it again?—a shoddy operation, or said that this was a shoddy way in which they were trying to extract more money out of the government, I think is deplorable. But I'll tell you something that's even more deplorable, and that is the comments that were made by the Premier here last week on a number of occasions, when he said that he was the Premier for the working people and the employed people of this province. By inference, he meant that he did not care about the unemployed people and the vulnerable in our society. You never ever hear anybody in this government, any of the ministers, talk about those people out there who need our help.

That's what community is all about, that there are some people in our society who, for whatever reason, are not able to make it, who need medical care, who may need educational care, who need health and social services. Those people are never talked about by this government. I maintain that if you want to be a good and effective government, once the election is over you govern for all the people of this province; you don't just govern for those people who are somehow able to make it in life. I think those comments that were made by the Premier here last week on a number of occasions shocked me and shocked the people that I spoke to, because I've always had the belief that once you're elected to government, you govern for all the people.

Getting back to this bill again and the lack of consultation, I cannot for the life of me understand how a government can bring forward a piece of legislation that affects over 4,000 people directly, namely the ambulance workers in this province, and every one of us indirectly when we need an ambulance for ourselves or for our family in case of an emergency, whether it's at home or whether it's on the road or whether it's somewhere else in this province—how these people, all of us, can be treated with disrespect by this government, how they could just bring a bill in and never talk to the people who are directly involved.

We heard some lame excuse that there was a meeting in 1999—I believe she said October or November, 1999—over a year and a half ago. This bill was introduced on May 17 this year. Where was the consultation? And the letter that we all received from the Ontario Paramedic Association—and I received it from a

Roberta Scott, who I understand is a former media relations officer—says it very, very clearly and directly. It says:

“The bill as it is currently written falls far short of providing the paramedics of this province with a fair and equitable system of binding arbitration to adequately compensate for taking away our right to strike.

“We would like to request that Bill 58 be sent to a committee and public hearings....”

We already know that's not going to happen. The government has just, within the last 10 minutes, filed a time allocation motion, which means that the next time this comes up for debate, at third reading, there will be 90 minutes of debate after one day of hearings dealing strictly with the clause-by-clause consideration—by “one day” they basically mean two hours—when the committee members will go through the bill clause by clause. So there will be no public hearings. This government isn't interested in hearing from the public on this bill. They're not interested in hearing from the paramedics on this bill.

1710

She goes on to say, “We ask, out of respect for our profession”—it is a profession that the paramedics have; they deal with very unusual and difficult situations and they deserve our respect and our consultation when we change their working relationships—“and the ‘essential services’ that we provide, that you take the time to consult with us, listen to our specific amendments, and provide a more equitable and balanced bill for paramedics. Our hope is that after being given the ability to add some important input and amendments to Bill 58, it will become a bill that the Ontario Paramedic Association can publicly support and endorse. The bill should become one that formally recognizes and declares paramedics as an ‘essential service,’ while providing them with an acceptable system of binding arbitration. We only ask that you afford us the same professional recognition and respect that all other essential services in this province have already been given, no more, but no less.”

What can be more reasonable than that? This government said, “No, we know better. We're not going to talk to you. We'll bring in the law and that's it.” What is interesting, of course, is that with the law they've brought in, and with the arbitration rules this government has already implemented in various pieces of legislation, they've gone one step further. They have in effect said that if the two groups in a negotiating situation cannot come up with an arbitrator, they are going to appoint the arbitrator and that arbitrator cannot be challenged in court.

As has already been pointed out earlier this afternoon, this is an impossible situation. What gives anyone the right to take away our democratic right, as individuals and collectively, to take a matter to court that we feel is justified to be taken there? It could very well be that the court would say, “No, you're wrong. We don't agree with you on that.” But this bill specifically denies people

the opportunity to take a matter to court. That is a denial of our basic democratic rights.

There are so many things to talk about in this bill, but with the current rules that were pushed through this House by this government, not on a consensus basis but just unilaterally, the debate each one of has on a bill like this has been limited now to 10 minutes. That's terrible because this bill affects an awful lot of people. It affects not only the 4,000 individuals who work as paramedics in this province, but each and every one of the citizens of Ontario could be affected by this in one way or another. It is just another example of, this government knows best and it's going to implement a law whether the people who are directly affected like it or not. That's the way the teachers have been dealt with in this province over the last five years, and that's the way the nurses have been dealt with over the last five or six years. This government just does it, it knows what is good for everybody and it doesn't want to hear from anybody. That is wrong.

The other issue, and it's too bad I haven't got any time to talk about it, is the whole municipal issue. Ambulance services were downloaded on to local municipalities. They didn't want it. It's a health service. It should be paid for out of provincial coffers. Then an arrangement was made whereby basically 50% was going to be paid by the province, but it's only 50% of a template cost. If any of these agreements that are still being negotiated in these local areas cost more, then the municipality will have to pick up more than 50%, and that is totally unfair.

With that, unfortunately, I will not have any further time to continue to debate on this.

The Acting Speaker: Comments and questions?

Mr Christopherson: I want to compliment the member for Kingston and the Islands. I thought he made excellent points throughout the brief time he was allowed to speak to this.

I would like to say to the government members, especially those who have stood in their place and defended this bill as a wonderful thing for paramedics, that it's a wonderful, fair, balanced, reasoned, unique kind of approach to labour relations. If you believe all that, then I'd like to hear one of the members stand up and say you're about to bestow this wonderful gift on firefighters and police. If you think it's so wonderful, stand up and announce to the province that you're about to change the way you deal with collective agreements for other workers who have been declared essential service workers.

It's not going to happen. Why? Because this is not fair; it's not equitable. You're treating paramedics as second-class citizens. We ought to just keep hammering that message home, over and over, because not one of you has the ability to stand up and refute that point.

We heard the Attorney General talk about wanting to be fair and balanced. We know you haven't met with any labour leaders—not in the last two years, anyway—about this issue. We also hear that those paramedics in all the communities across Ontario who want to meet with Tory backbenchers can't get meetings, can't get in to see their

own elected representatives. Now you've given us time allocation, which is going to deny any kind of participation in public hearings. Where on earth in all of this is fairness, and where did democracy go in Ontario?

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I'd like to respond to the address by the member for Kingston and the Islands. Some of the opposition have been screaming at this side of the House—

Mr Christopherson: Well, you won't listen.

Mr Tilson: I'm sitting right opposite you and I can hear you perfectly well.

Mr Christopherson: Then answer my questions.

The Acting Speaker: Order. The member for Hamilton West, come to order.

Mr Tilson: The issue from the opposition is that there doesn't appear to be any binding arbitration. That seems to be the question put forward by the members of the opposition. It is true: there is no unfettered right of arbitration. That is quite clear from the legislation.

Comments have been made by members on this side of the House that there's an attempt to balance the interest between employers and employees. I suppose the opposition can say it's weighted in favour of the employers.

Mr Christopherson: You didn't talk to the employees, for goodness' sake. You never talked to them. Defend that.

Mr Tilson: My friend can continue to yell at me, and that's his right, assuming the Speaker allows it, but I'm trying to make comments to the presentation made by the member for Kingston and the Islands.

The legislation does define the essential ambulance services that must be maintained to ensure that public health and safety objectives are met. That's the intent of the legislation. The intent is to require that an essential services agreement be in place prior to an unlawful strike or lockout. Finally, it gives the parties access to a conciliation officer in the Ontario Labour Relations Board. At the Ontario Labour Relations Board there is a process. It could direct the parties to continue negotiating, it could refer the parties to mediation, it could amend the essential services agreement and, finally, it could order all outstanding matters to binding arbitration. It goes through all those processes; it'll get what the members of the opposition are asking for.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): The member from Dufferin-Peel-Wellington-Grey has missed the point. The point that the opposition, that my very good colleague from Kingston and the Islands has been trying to make, I thought very clearly and effectively—my colleague the member from Sudbury made the same statement, and I'm going to say it again, if you'd care to listen: the issue here is fairness. You are bringing in legislation that will treat an essential service within this province in a different way than you treat any other group that you, as a government, recognize as an essential service. You have not explained, certainly not to me, certainly not to the ambulance people, the paramedics who have come to this

Legislature on more than one day—they're here again today—why you are doing that. They hear the rhetoric, but they still don't understand why they are being treated differently. I would suggest you take some time and meet with these people face to face. They have an excellent point, in my opinion, and it goes to the point of fairness.

1720

I say to the points made by the member for Thornhill, who would suggest this bill will ensure quality ambulance services: we've heard the government make similar statements about bills that have affected nurses and teachers and trades people and now paramedics. Ask anyone in those professions if they feel they have been treated fairly by this government. I would ask the people in the province of Ontario to ask your neighbours who work in those areas if they think they got a fair shake from this government. I think not.

Hon Frank Klees (Minister without Portfolio): When it comes to the issue of fairness, I think one of the things we should not forget is what this is really all about: what is fair? We believe what is fair is that people in this province can count on the very important service paramedics in this province provide when they need it. What this is about is ensuring there is fairness in the bargaining process, that paramedics in this province in fact have a system under which they can bargain, under which they will be treated fairly, under which, at the same time, they are respected for the essential service they're providing, and that there is in place in this province a system through which they can appeal if they feel the employer is not dealing fairly with them. There is legislation being proposed that will ensure there is a fair process in place.

Members opposite take exception with how this legislation is drafted. They would prefer to see some other mechanism available. The fact is, they are entitled to that opinion, and we hear you. What we're simply saying is that the minister, through his consultation with the stakeholders—

Mr Christopherson: He didn't have any consultations. That's outrageous.

The Acting Speaker: Order. I want to address a comment to the member for Dufferin-Peel-Wellington-Grey: it's not anybody's right in here to shout out, and you have every right to expect this Chair to address that. I want to make it very clear that I won't tolerate it. If there's anything else you think you want to hear from me before I take those sanctions, please let me know.

I also want to address a comment to the member for Hamilton West, and that is: when somebody shouts at me I hear better, but I don't understand any better.

The chief government whip and deputy house leader has 22 seconds.

Hon Mr Klees: I appreciate that intervention.

You know, the fact there is such vehemence opposite would tell me that perhaps they're protesting too much. When one has to protest that loudly, it usually means they're trying to cover something up, and usually that

something is a rational proposal being put forward by the government. So, I rest my case.

The Acting Speaker: The member for Kingston and the Islands has two minutes to respond.

Mr Gerretsen: We still haven't heard why they will not treat these people, who are involved in an essential service, the same as firemen, policemen and nurses in this province. Nobody, not even a government minister, has answered that question, because they know that they're not. That's what it's all about. They know they're not treating these people the same as firefighters, the same as policemen. That's the whole problem. If they were an essential service, there would be binding arbitration. The system that's set up in this bill basically would force them to enter into an agreement whereby certain of their members could work but then scabs could be hired for the other people. That's the difference. The government knows this. The Minister of Labour isn't a fool. He darned well knows that what's called for in this bill is not the same as the essential service provisions within the firefighters', police and nurses' acts. That is the major difference, and they know that.

It still begs the question of why, for goodness' sake, didn't they meet with the association before they brought the bill forward? The only thing we've heard is that there was a meeting with some OPSEU representatives, that could have involved a whole bunch of issues other than paramedics, back in November 1999. If that's the lame excuse the government members can come up with, that there was some sort of consultation, well, then, that speaks for itself.

Now the ultimate insult is that they're not even going to be given the privilege of coming to a committee hearing to let their views be known, because the government has basically said, "We're time-allocating this, and then there will be a 90-minute debate." That is absolutely shameful, to pick on one essential service and treat them differently from the other essential services in this province.

The Acting Speaker: Further debate.

Mrs Julia Munro (York North): I'm pleased to be able to rise today and offer some comments on this bill. The first thing we need to understand is the background to the creation of this legislation. On January 1, 2001, the ambulance services were transferred from the provinces to the upper-tier municipalities as part of the local services realignment. Historically, ambulance services had been operated by three types of employers. These included the hospitals, the crown agencies and individual municipalities. A perfect example, obviously, is the city of Toronto, in which there were approximately 1,000 paramedics.

By this patchwork of service delivery, services run by the hospitals fell under the Hospital Labour Disputes Arbitration Act, and with that act there was no right to strike. The services run by the crown agencies, which were private operators working for the provincial government, fell under the Crown Employees Collective Bargaining Act, and for them there was a conditional

right to strike, but essential services agreements needed to be in place prior to any legal strike or lockout. As a result of the transfer of January 2001, most ambulance workers now fall under the Labour Relations Act, 1995, and therefore have this unfettered right to strike.

Currently, there are approximately 4,400 ambulance workers across the province, and these include emergency medical attendants, paramedics and dispatchers employed by 88 services, controlled by 23 municipalities. The need, then, is to provide a number of remedies if the essential ambulance service agreements have prevented parties from having a meaningful right to strike or a lockout, and that requires an application to the Ontario Labour Relations Board.

The Ontario Labour Relations Board then has a number of options: they can direct the parties to continue negotiating, they can refer the parties to mediation, they can amend the essential services agreement or order all outstanding matters to binding arbitration. The key here is that the right to strike would be maintained, but critical services would continue to be delivered. The legislation would apply to ambulance employers and their organizations; ambulance service employees and their unions; and employees in bargaining units that include ambulance workers who work for 23 direct municipal operators and 33 services contracted by municipalities, including 30 currently considered as crown agencies.

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When you look at the history of the situations prior to the local services realignment, it becomes clear that the legislation we are looking at today is necessary. This legislation would clearly safeguard public health and safety in the event of an ambulance service strike or lockout as well as balance employer-employee interests in collective bargaining. It does create a framework for resolving labour relations disputes, which requires that prior to any strike or lockout, an essential ambulance services agreement be negotiated between the employer and the employee.

In this agreement it is important to define the essential ambulance services that must be maintained to ensure public health and safety objectives. It also requires an essential service agreement to be in place prior to a lawful strike or lockout. This process also gives the parties access to a conciliation officer and the Ontario Labour Relations Board for assistance in creating these agreements.

In looking at this, it became clear, given the complexity of the service providers in Ontario prior to the realignment, that there were those who had the right to strike, those who provided services operated by hospitals who did not have the right to strike, and those services provided by crown agencies where there was a conditional right to strike. In anticipation of this situation, the government began consultations 18 months ago, and those consultations, then, included ambulance workplace parties, including the Ontario Public Service Employees Union, the crown ambulance operators, the

Association of Municipalities of Ontario and the Ontario Hospital Association.

It's from that that we are looking today at this particular piece of legislation, the Ambulance Services Collective Bargaining Act, and there are some of the features of that act which then address the issue. When you look at the number of options that the previous ambulance service providers had, this piece of legislation is balanced and creates a framework for resolving the labour disputes for ambulance services in particular.

It's a combination, quite frankly, of the other models. It would require the negotiation of an essential service agreement to ensure ambulance service be provided during a strike or lockout. It would also give the parties the opportunity and the access to a conciliation officer and the Ontario Labour Relations Board for working out agreements. If either side felt that the agreement would prevent a meaningful right to strike or lockout, it could apply to the board to determine the issue. The board would also have a number of potential remedies available, including binding arbitration, to resolve matters in the dispute.

The government has chosen this approach rather than, for example, arbitration or ruling out the right to strike, because this approach balances the concerns of all key stakeholders. It supports the government's priority of protecting public safety. It encourages productive employer-employee relationships, which are promoted through freely negotiated collective agreements and which include the right to collective action. It also provides taxpayers with affordable, effective services. Municipalities will be able to choose the method for delivering ambulance services in the most efficient manner to meet local needs and priorities.

Quite frankly, in developing this unique initiative, the government took the best elements from various jurisdictions while continuing to make public health and safety its highest priority. This act upholds the primacy of public safety and balances other considerations of the workplace parties.

The Acting Speaker: Comments and questions?

Mr Bartolucci: With all due respect to the member from York North, she has failed to answer the question of why the Ontario paramedics are not being treated the same as firefighters, why the Ontario paramedics are not being treated the same as the police, why the Ontario paramedics are not being treated the same as nurses. In fact, the member from York North failed to address the issue of safety and give these paramedics the reasons why they are not being treated the same as firefighters, police and nurses.

There are 4,000 people who are the first people on the scene, providing life-saving treatment, and all they want is fairness, but they're not being given that opportunity. The member from York North admits that the Ontario Paramedic Association was not invited in for consultation on this bill. I suggest to you that that should tell the people of Ontario how serious this government is when it comes to adopting and establishing meaningful

legislation. You're not going to bring in the experts in the field for consultation. The first time they were slighted they didn't mind so much, because they thought—and they wrote asking that this thing go to committee so their input could help make Bill 58 a better bill. The government's answer: a time allocation motion, two hours of clause-by-clause, 90 minutes of third reading and no input from the 4,000 members of the Ontario Paramedic Association.

I suggest to you that Bill 58, the way it's written, is in fact a public safety hazard. I hope the government addresses that.

The Acting Speaker: The member's time has expired. Comments and questions?

Mr Christopherson: Let me say at the outset that I absolutely in no way intend to apologize for raising my voice in this place, because it's the only voice right now that's being given an opportunity to be heard.

Hon Mr Klees: Oh, get serious.

Mr Christopherson: Well, do you know what? I just heard the chief government whip, who said, "Oh, get serious," as a response to my comments, the very same minister who not that long ago stood in his place and said—and I'll get the quote in here later—that the government met with all the stakeholders in consultation. Why would he say that? Because normally that's a very good position, to be able to say that you had actually met with people. But the fact of the matter is that you didn't meet with the stakeholders, you did not, and that's why the outrage at your comment that you did. You either didn't know or you made something up. But it has no relationship with reality, because the reality is that you didn't meet with all the stakeholders. That's why—

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Hon Mr Klees: I didn't say "all."

Mr Christopherson: Well, we'll get the Hansard and we'll just take a look at what you did say. But the fact of the matter is, make no doubt, you left the impression that you had talked to everyone, and you did not.

Further to that, you've now put a motion on the floor that will further deny paramedics a voice, soft or loud, at committee. Further to that, your backbenchers are refusing to meet with paramedics in all the communities where you have a member so that they can be lobbied. Your backbenchers won't meet, you won't let them speak at committee, and you didn't talk to them before the bill was introduced. Where on earth do you get off saying that this is fair?

Hon Mr Klees: Speaker, I'm sure that you can hear the member from Hamilton West. We can hear the member from Hamilton West; he doesn't have to yell.

Let me clarify, and when the member—I do hope he reads Hansard, because when he does he will see that what I said was that the minister met with stakeholders. Let me clarify once again: the stakeholders that the minister met with were, among others, the Ontario Public Service Employees Union, the crown ambulance operators, the Association of Municipalities of Ontario, the Ontario Hospital Association and others.

Now, it is easy for the member opposite to stand in his place and accuse the government, accuse the minister, of not meeting with any of the stakeholders. He's wrong again, because it serves his purpose. He would much rather stand in his place and misrepresent—

Mr Kormos: They're here.

Hon Mr Klees: Yes, and there are people in the gallery and we welcome you, but you are not—

Interruption.

The Acting Speaker: Order. Would you stop the clock, please. I would ask the Sergeant at Arms to ask the second person from the right in the first row to leave. The chief government whip.

Hon Mr Klees: Thank you, Mr Speaker, and it is unfortunate. We welcome people in this place, but I really do think that when members of this House, honourable members of this House, quite frankly incite people through their own actions and through their own words, it is not helpful to constructive debate in this place.

The truth of the matter is, the members opposite may not agree with this legislation. We did consult with stakeholders. This is a piece of legislation that will serve the people of Ontario well, it will serve all the stakeholders well. Time will tell that once again common sense will prevail here.

Mr David Ramsay (Timiskaming-Cochrane): It's obvious from this debate this afternoon that we have a problem here and the problem is a government that doesn't listen to the people of Ontario. Bill after bill, year after year that this government has been in power, we see the bullying nature of this government, of basically imposing law upon people without proper consultation.

While a government has the right through its win in an election to lead and to set policy, it needs to bring people along as it sets its targets and goals. In doing that it can't become a dictatorship, but it needs to consult with people and it needs to work with people. It's obvious in this bill and many others that this government is not doing that. You really have to consult. Why we have debate in a Legislative Assembly such as this is to get to the bottom of issues, and the question that has remained unanswered in this debate is, why isn't this government making paramedics an essential service?

Historically, we have recognized our police services and our fire suppression services as essential to the well-being and safety of the residents and citizens of this province. You could make a very strong case, in fact I'd say an equal case, that with the work paramedics do in saving lives day in and day out in Ontario, they should be deemed an essential service and be given all the rights the other services have when they have been so deemed. But this is not going to be the case. What we have here is neither fish nor fowl. We have isolated the paramedic services in a new category. They are basically in suspension. They don't have guaranteed arbitration if they have difficulty in a negotiation. They should be deemed an essential service and given the rights that police and firefighters are given.

The Acting Speaker: The member for York North has two minutes to respond.

Mrs Munro: Thank you to those members who have made comments: the members for Sudbury, Hamilton West, Oak Ridges and Timiskaming-Cochrane.

When this bill is examined, the key issue is the need to strike a balance, and that balance is in recognizing the essential services provided by the paramedics of this province, the safety and public health they are able to provide for us, so that on the one hand we have the need to maintain that and maintain the opportunity for the provision of those services, and on the other hand is the need to address the issues with regard to employer-employee relations.

This bill provides for that balance through the opportunity to provide the essential services agreements, and at the same time provide a mechanism that will allow for the employer-employee relationship in having those negotiated collective agreements, and in those, the right to collective action.

I think much of the debate and much of the response we have heard tends to take away from the essential balance that is at the core of this piece of legislation. When you look at the kind of patchwork history of ambulance service, to bring it together through the local services realignment represents that balance.

The Acting Speaker: The member's time has expired.

I'll just be a minute. I wanted to give you the advantage of my experience. When my father was in his elderly years, I had to shout at him because his hearing was going. I went to the Canadian Hearing Society, up near St Clair, and they said, "All his life, whenever anybody has shouted at Frank, they were angry at him." So I got one of those little gadgets so I could sit back, relax and talk to him.

I wanted to tell the member for Hamilton West that you have nothing to apologize for in your voice when you have the floor, but indeed if I wanted an apology for you, I would have gotten it.

The Chair recognizes the member for Thunder Bay-Superior North.

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Mr Michael Gravelle (Thunder Bay-Superior North): This is it. We know this will be the last 10 minutes of debate on second reading of this important piece of legislation. The chief government whip has laid on our table the rules in terms of time allocation tomorrow. So the debate will be over, debate on a bill that is truly farcical, debate on a bill that is a real insult to the paramedics who so nobly serve us in this province, a debate, on both sides of the House, that continues to amaze me as I've been listening to it.

Particularly, for example, I was listening to the member for York North make her remarks. One of the things I was wondering while she was speaking was, had she and her colleagues met with their area paramedics in their ridings? Then the member for Hamilton West pointed out to me that they were avoiding doing exactly that. Certainly, I and my colleague Lyn McLeod met with

the paramedics in Thunder Bay and the district last week, and they made very clear their concerns.

It's unfortunate that one of your colleagues had to leave, and I know it's very difficult to remain quiet in the Legislature when you hear things you don't agree with.

This is a piece of legislation that has been continually begging the question, why are they doing this? We've been asking the question, why do they continually feel the need to change the agreement in terms of what they offer firefighters, an essential service, police, an essential service—no argument with that—and nurses, an essential service? I can't imagine how you can argue any difference with paramedics, those who deliver ambulance services.

I for one think it's fairly clear. I think this is a government that has made very clear their hatred for the arbitration process. They've certainly made it clear that they are keen to strip away all union bargaining rights as best they can, and I think that's clearly what's happening here.

This is something that is also simply dangerous as well. To basically try to sit here and tell us that there is a fairness to this and it provides a balance is absolutely absurd. The Ministry of Labour requiring that an essential services agreement be struck before paramedics can strike or be locked out is astonishing, when you figure out that full service must be maintained, because ambulances are essential to Ontarians and nobody can argue that. But for this, the paramedics and the employers have to determine how many workers are needed to maintain full service. So what do they do with this particular agreement? If there are 30 paramedics, for example, and 25 are needed to provide full service, then 25 must continue working while the other five are allowed to strike. But the employers are allowed to find replacement workers to cover those who are on strike.

First of all, I thought to myself, how in the world can you determine what is a non-essential part of the job that you do? I thought of examples using my own understanding of Thunder Bay. Is it non-essential to take a woman who has had a stroke and get her to a different hospital? Is it non-essential to go to the helipad at Port Arthur General Hospital and transfer them over to the McKellar site? I can't imagine how that could be defined as non-essential. What's non-essential?

It's absurd to have in the legislation the opportunity to have replacement workers. This is something that clearly could never work. The question I asked the paramedics last week when I was talking to them in Thunder Bay was, what does that mean? Does that mean you would actually hire someone to drive the vehicle? That's absurd, as well. That's impossible.

The legislation absolutely makes no sense. It's a huge insult, and it's clearly obvious that you want to do things in a very different way. There are aspects of this that truly startle me. The government talks about the fact that they are doing this because they want to improve—they're putting public safety first. Clearly, that's a farcical element. Certainly if you talk to the paramedics

and you talk to the legal advisers who have interpreted this bill in the detailed way that I think the Minister of Labour and others would expect us to do, what you find out is that not only does it not protect public safety, I think it jeopardizes public safety. It jeopardizes public safety, in my view, because it requires that paramedics go on strike before they can even ask for arbitration to resolve a dispute.

The Minister of Labour has been critical of our approach to things, and he has asked us to provide him with some numbers in the past. He should look at page 9 of this particular bill, clauses 18(1)(a) and (b), and then subsection (2), where they can only go to the Labour Relations Board to look for a declaration that there is no meaningful right to strike once there is an essential services agreement in place, and the board can only rule on whether or not this could go to arbitration, as it says in subsection (2), if "sufficient time has elapsed in the dispute between the parties" to make the declaration of no meaningful strike a possible ruling for the Ontario Labour Relations Board. The government is simply playing games with the important issue of public safety of the citizens of this province when it comes to maintaining essential ambulance services.

This is something that absolutely demands, requires and calls out for public hearings. It's something that certainly the paramedics of this province have asked for, and we will obviously do our best to bring forward amendments to the clause-by-clause process. But when you are left with a piece of legislation that will be through second reading in about four minutes, or at least second reading debate will be done with, it's going to be very, very difficult to get to the ear of the government.

None of the government members have acknowledged the reason why they're doing this differently. They should be embarrassed. I mean, on the one hand you want to declare this as an essential service but you will not treat the workers, these extraordinarily important workers in our province, on the same basis as you would firefighters, police and nurses. It's just astonishing to do so. I appreciate you are often given your remarks to read and you follow a script, but the fact is that the script doesn't make any sense. There is no balance in this; it's truly an attack, literally, on the collective bargaining process. If there's no fair dispute resolution process in place with binding arbitration, it's just not a fair process at all.

What we're really ultimately doing—and they can speak for themselves, obviously, and they have—is setting up a situation where the municipalities will be responsible for setting the agreement. The province has agreed to pay 50% of the cost, but I'll tell you, there's going to be a standard by which the province determines what that 50% is. The municipalities are going to be in trouble.

My colleague Lyn McLeod from Thunder Bay-Atikokan and many of my other colleagues and I are writing to the municipalities that we represent. We're trying to alert them to the fact that they should not be

supporting this; they should be getting to this government and telling them to back off on this piece of legislation and to make it clearly an essential service. The Association of Municipalities of Ontario is officially cautiously in support of this piece of legislation. We think they're making a mistake, a mistake they will regret. I must admit, we have sent the letter off just this afternoon to the mayor of the city of Thunder Bay and to the other mayors I represent and we're trying to make it clear to them that Bill 58 will put public safety at risk, that Bill 58 actually leaves them in a very difficult position in terms of cost.

One of the real issues that concerns us—I mean, we've been through the battle of who should be funding ambulance service in this province before. The province tried to unload all of it to the municipalities, and after a lot of battle, a lot of fighting, they've agreed to fund 50%, which won't end up being actually 50%; I'm convinced of it. But the fact is it should all be funded by the province. It should be a Ministry of Health responsibility. But the thing that concerns us the most is I think the government is using this bill as a way to distance and reduce their responsibility to land ambulance services. That's another thing they want to do; they want to remove themselves from it as well. Obviously, they're going to be able to do that if this bill goes through.

Ambulance services are already under an extraordinary strain. We know that in many, many communities it is difficult to meet the response time. Patients are often in some form of danger because of the crisis in our emergency rooms. The situation that paramedics are put in is remarkable, and paramedics right now are feeling overworked and under stress. What that will lead to is we're going to have a hard time keeping paramedics in this province who are going to keep on working for us and on our behalf. That's something that we should be concerned about, because if they are going to be treated this way by the province of Ontario and put in this position, that is going to be one of the end results.

The municipalities should be fighting against this legislation. I'm still irritated, to be honest, about the fact that the Association of Municipalities of Ontario is supporting it, which is why we are sending these letters to our municipal leaders. We want to make sure that they understand exactly what they're getting into. We're leading ourselves down a path which I think is going to be very, very dangerous in terms of the operation of our ambulance services.

This is a service of which we should be so proud. You deserve to be treated the same way as the police officers in our province. You deserve to be treated the same way as the firefighters in our province. You deserve to be treated the same way as the nurses in our province. We will defend our right. We will keep fighting for it, despite the fact that this debate is virtually over today. We'll fight for you as long as we can.

The Acting Speaker: Comments and questions?

Mr Howard Hampton (Kenora-Rainy River): Just to follow up, we now know that the government is going

to force this legislation through by time allocation, that they're going to limit debate. There's going to be only one day for hearings of any kind, and that includes clause-by-clause, and then only 90 minutes of debate on third reading before they force it through the House. And this on something which the government believes is an essential service. If something is an essential service, then it requires deliberate and thoughtful debate, something that obviously is not happening here. So we see through the ruse of calling it an essential service.

What's really going on is this: there are really two ways for workers to engage in collective bargaining. One is to negotiate, always with the possibility of strike or lockout. The other is to go the route of interest arbitration and put it in the hands of an arbitrator who is recognized as being neutral and independent and having credibility in the eyes of both sides.

In looking at this legislation we find that the route of negotiate and strike or lockout is totally compromised by this bill. So that route of reaching a collective agreement

is undermined. Then, the approach of interest arbitration before a neutral, independent and credible arbitrator is also totally compromised because the government can appoint the arbitrator. He need not have any reputation for independence, for neutrality or credibility. The government, if they wanted to, could appoint Stockwell Day as the arbitrator under their provision. Imagine that. Wouldn't that be a wonderful experience for people.

This bill is intended to undermine collective bargaining when it comes to ambulance paramedics. What's so dangerous about it? If you're going to completely undermine the collective bargaining process, you're going to lead to a very frustrating situation. We don't want a frustrating situation in the ambulance system.

The Acting Speaker: It being past 6 o'clock, this House stands adjourned until 6:45.

The House adjourned at 1802.

Evening meeting reported in volume B.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Ancaster-Dundas-	McMeekin, Ted (L)	Hamilton East / -Est	Agostino, Dominic (L)
Flamborough-Aldershot		Hamilton Mountain	Bountrogianni, Marie (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
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Brampton West-Mississauga /	Clement, Hon / L'hon Tony (PC)	Kenora-Rainy River	Gerretsen, John (L)
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Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston et les îles	
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Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Agincourt Scarborough-Rouge River Simcoe North / -Nord Simcoe-Grey	Phillips, Gerry (L) Curling, Alvin (L) Dunlop, Garfield (PC) Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Niagara Falls	Maves, Bart (PC)	St Catharines St Paul's Stoney Creek	Bradley, James J. (L) Bryant, Michael (L) Clark, Hon / L'hon Brad (PC) Minister of Transportation / ministre des Transports
Nickel Belt	Martel, Shelley (ND)		Cleary, John C. (L)
Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif		Bartolucci, Rick (L) Molinari, Tina R. (PC) McLeod, Lyn (L) Gravelle, Michael (L)
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Second Session, 37th Parliament

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Deuxième session, 37^e législature

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Tuesday 12 June 2001

Mardi 12 juin 2001



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
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Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 12 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 12 juin 2001

The House met at 1845.

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): On a point of order, Mr Speaker: My cabinet book was removed from the top of my desk. That is a serious matter and I would like to advise the Sergeant at Arms that I would like to have his assistance immediately, please.

The Deputy Speaker (Mr Michael A. Brown): Agreed.

ORDERS OF THE DAY

GOVERNMENT EFFICIENCY ACT, 2001

LOI DE 2001 SUR L'EFFICIENCE DU GOUVERNEMENT

Resuming the debate adjourned on June 11, 2001, on the motion for second reading of Bill 57, An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts / *Projet de loi 57, Loi visant à favoriser l'efficacité du gouvernement et à améliorer les services aux contribuables en modifiant ou en abrogeant certaines lois.*

The Deputy Speaker (Mr Michael A. Brown): The member for Niagara Centre.

Mr Peter Kormos (Niagara Centre): This is unprecedented. Do you have his cabinet book? A minister lost his cabinet book. Somebody had better come clean. The minister misplaced his cabinet book.

Boy oh boy, do you remember when you were a little kid and you came home from school and you didn't have your mittens any more? I knew I was in big trouble. "You what? You lost your mittens?" Did you have the lecture, "You better take better care of your things, young man"? I remember that. The minister lost his cabinet book. Have you got his cabinet book, Mr Marchese? He lost his cabinet book.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): We'll read about it during question period.

Mr Kormos: Yes. Listen, there are no secrets here. Somebody up in the press gallery's photocopying it. That's what you call a leak.

We're speaking to—

Interjection.

Mr Kormos: He's only the minister of, what? There's nothing in it. It's not as if he was something. He's not much. A cabinet book's only that thick for that minister.

It's Bill 57, Speaker. I'm sorry I was distracted for perhaps a few moments of bizarre levity at the remarkable opening to this evening's session.

Mr Rosario Marchese (Trinity-Spadina): Perverse levity.

Mr Kormos: I'm joined here by the member for Trinity-Spadina. You heard me begin—

Mr David Ramsay (Timiskaming-Cochrane): The efficiency act, Peter.

Mr Kormos: That's right. It's called the Government Efficiency Act. I presume the minister who lost his cabinet book is not the minister of government efficiency or, if he was, he ain't any more.

Regrettably, Bill 57 is deadly serious stuff. An omnibus bill with more than a few references to various bills that do pertain to relatively benign, innocuous house-keeping, but Bill 57, an omnibus bill, like every other omnibus bill that has been introduced contains within it some deadly stuff: in particular, schedule I, the amendments, among other things, to the Occupational Health and Safety Act, amendments and repeals of legislation that workers won over the course of decades and generations and amendments and repeals of sections of the Occupational Health and Safety Act that are going to put working women's and men's lives at risk. Workers are going to suffer injuries as a result of this bill, workers are going to suffer increased levels of disease as a result of this bill and, yes, workers are going to die as a result of what this government and its backbenchers are doing by way of Bill 57.

1850

Speaker, you know we sought to have Bill 57 declared invalid as an omnibus bill. We were unsuccessful in that regard. I have no quarrel with that fact. We similarly sought from the Speaker at the same time an order that the bill be severed, so that schedule I—this incredibly important bill with a disastrous impact—could be separated from the rest of the bill and dealt with separately. Again we were unsuccessful in that regard. The rules, as they exist now, simply didn't permit the Speaker to order that. We have some real concerns.

Interjections.

The Deputy Speaker: Order.

Mr Kormos: One of the concerns we have is that the government, once again—look, you know what happened this afternoon, don't you? Bill 58: lo and behold, what do I get on my desk? Notice of a time allocation motion. You know what I'm talking about: Bill 58, dealing with paramedics, limiting the right to strike and denying them

fair, neutral arbitration, denying them arbitration and eliminating the right to strike. Only in the most totalitarian of societies, the most undemocratic of political cultures, would that be considered acceptable.

And debate of about a couple of days—I actually heard a government minister, I think it was yesterday evening, berate the opposition for daring to debate legislation. That's what this place, that's what this chamber, that's what Parliament is all about. You will understand that "parliament" comes from the Old French word, which is also the new French word, "parler," "to speak." That's the origin of the word "parliament." Last night I educated the chamber about the origins of the phrase "tinker's dam."

Mr Marchese: Tell us again, because there's a new audience.

Mr Kormos: I used the phrase yesterday in my discourse from my position here in the House. I explained the etymology of "tinker's dam," which is spelled d-a-m. I'll repeat the etymology of the phrase "tinker's dam"—I know you'll be interested—because I might, as a matter of fact I'm confident, I'll use that phrase this evening.

In days gone by, tinkers went around from village to village repairing pots. They were tin pots. The pots were worn through. You got holes in the pots. There's a hole in the bucket. The tinker literally built a dam of wet bread around the hole. When he poured the molten tin to fill the hole, the wet bread acted as a dam around the hole so that the tin wouldn't spread across the whole base of the pot. The phrases "tinker's dam" and "not worth a tinker's dam" speak to the rather less than best quality of those tinkers who would use but bread for that dam when the molten tin was poured in to fill the hole. So "not worth a tinker's dam" and "to not give a tinker's dam," as the tinker didn't when he was soldering or retinning that pot, means to care little—t-i-n-k-e-r-'s d-a-m, as in Hoover Dam.

So I say to you, Speaker, that here we are, confronted once again with legislation that confirms, as has been confirmed time after time after time, bill after bill after bill, all the way back to 1995—and I suppose the foundation, the cornerstone, Bill 26—that this government doesn't give a tinker's dam about working women and men here in the province of Ontario. It's evidenced once again by Bill 57.

You heard me mention last night that once again there was no consultation. Nobody from this government went and talked to the people who could give them input about the impact of this legislation. That's what's particularly frustrating about being told by whomever over there that we shouldn't be debating this. Please, we are obligated to debate this. We have a duty to debate this. We have a duty and an obligation and a responsibility to debate this bill exhaustively, because its impact is going to be dramatic and deadly.

There was no consultation of the 200-plus or so Ministry of Labour inspectors. Because one of the things that this bill does is it changes the law radically. One of the most hard-fought-for gains that workers have made is the

right to refuse unsafe work. It's not a thing that's taken lightly by any worker. Most workers are in non-union workplaces. They don't have a shop steward to call to say, "Hey, shop steward, Joe or Jane, come on over. You better get the superintendent"—the front-line manager, the foreman, what have you—"because look at this set-up here. I refuse to work here." You've got your shop steward standing beside you and you've got the protection of the union.

I understand the vast majority of workers in this province don't have unions. Quite frankly, with the anti-union legislation and anti-union agenda and the union-busting drive that this government's been engaged in for the last six years, there's going to be fewer and fewer workers who enjoy the protection of membership in a trade union movement and are entitled to engage in the free collective bargaining that trade unions guarantee for them.

This refusal of unsafe work is not taken lightly, and the history of that right is some decades-plus old. It's a relatively new right and it's had a dramatic impact on increasing workplace safety. The fact that a worker can refuse is some significant incentive for the employer to do more than they had done in the past to ensure workplaces are safer. The worker acquired some degree of control over his or her own safety. A critical turning point in the history of the life of workers in this province was the introduction of the right to refuse unsafe work.

This bill undermines that right in a most significant and profound way. You see, the right to refuse unsafe work is directly connected to, and the refusal of unsafe work prompted by law, an on-site inspection by a Ministry of Labour inspector. Worker refuses work, advises his or her boss, it's compulsory that an inspector be called, that the inspector come down and inspect that workplace and either shut it down or, in fact, approve for that worker to return to that workplace or workstation. It's one of the most effective ways that the Ministry of Labour has of monitoring workplaces, because they're out there in the field doing an investigation—hands-on, live, real person, visual, sight, sound, the whole nine yards.

The government says, "Oh, why are you guys debating this?" They were shrieking over there. They were shrieking, "What are you debating this for?" What are we debating it for? Because people's lives are at stake. That's why we're debating it. We're not just debating it; we're opposing it. We're fighting it with all of the, yes, admittedly reduced powers that opposition members have in this Tory chamber.

1900

You see, it's no longer compulsory for an inspector to attend at a work site where a worker refuses unsafe work. The inspector can do his determination over the phone, a hundred miles away. It's up to the inspector, with no guidelines in the legislation. It isn't as if the legislation imposes guidelines or some direction on the inspector as to when he will or will not attend a workplace to assess a worker's refusal of unsafe work. No, the inspector can say, "No, not today," "It's too early," "It's too late," "It's

raining," "It's too sunny," or, "We're too busy," because we know that the Ministry of Labour is designed to have a complement of some 278 workplace inspectors, Ministry of Labour inspectors, but they've only got 200 on the job right now. We have to start inquiring about what the motive is for this, but we know what the motive is. We know it's to undermine.

Oh, it's all about efficiency. It's all about Frank Sheehan's efficiency. To that guy, efficiency means you eliminate the Employment Standards Act. That will make the workplace more efficient—yes, more efficient for bosses and for the big corporations that increasingly own those workplaces here in Ontario. Eliminate the Employment Standards Act, eliminate the 40- to 44-hour workweek—and the government has already done it: we've got a 60-hour workweek now. It's like rolling the clock back 40 or 50 years. Eliminate the minimum wage: that's Sheehan's perspective of what makes a more efficient workplace. I don't buy that, New Democrats don't buy it, the member for Trinity-Spadina doesn't buy it—not by a long shot, not by any stretch of the imagination.

It's interesting, because notwithstanding that, this so-called Minister of Labour hadn't spoken to any of the right people, hadn't spoken to any of the people out there doing that job. A couple of Ministry of Labour inspectors took it upon themselves to write the minister a letter and that letter was sent by fax either yesterday or today, dated June 11. The letter politely commences:

"Dear Minister:

"We are writing you as representatives of health and safety inspectors seriously concerned about the adverse impact of the proposed changes to the Occupational Health and Safety Act introduced by Bill 57." That's the bill we're talking about right now.

"As well, we are seriously concerned by the lack of consultation with inspectors during the process of formulating these proposed amendments." This comes from those very inspectors in the Ministry of Labour who are no longer going to be required, if this bill passes, to do on-site inspections when there has been a refusal of unsafe work. Referring back to the letter, "Indeed, many of us were surprised and somewhat embarrassed to learn about these amendments from our clients in the field.

"We have grave concern about the proposed changes to section 43(7) of" the Occupational Health and Safety Act—that's the very one that deals with the requirement that an inspector attend on site when a worker has refused unsafe work—"which will now allow an inspector to investigate a work refusal without having to be present at the workplace to examine the actual work situation. As health and safety professionals, we find this an absolutely unacceptable approach that perverts the basic tenets of good investigative practice and sound health and safety and industrial hygiene principles."

This isn't some academic writing this. This isn't some policy aide, political staff deep in the bowels of the ministry. This isn't Mr Sheehan, who I suspect hasn't seen a work site in a good many years, a real one, one where people work—if he ever did. I'll give him the benefit of the doubt and I'll suggest "for many years."

Don't shake your head; listen to the letter. You'd be wise to take heed, because you, Madam, and your support of this legislation may well leave you as culpable as the others when there's an injury, a disease, a death, as a result of this government's denial to workers of the right to an on-site inspection when that worker refuses unsafe work.

These inspectors carry on, "Such an approach will inevitably result in the tragic consequences that the lack of regulatory vigilance led to in the town of Walkerton."

You're being warned again. New Democrats in this Legislature today confronted your Premier, my friends, with the fact that he had been warned not once but twice, at the very least, in writing, about the consequences of his cuts to the Ministry of the Environment and the fact that it could lead to very serious consequences for Ontario residents. While your Premier didn't want to deal with that fact here and now in this Legislature today, let me tell you that when he's sworn under oath and giving testimony at Justice O'Connor's commission in Walkerton, he can't hide behind the rather pathetic excuses he offered up today.

Please, you'd been warned about Walkerton. You'd been warned, you'd been warned, you'd been warned, and you disregarded those warnings. You didn't heed the warnings and people died. Not one, not two, but seven people died in Walkerton. They didn't die from old age. They didn't die because they were engaged in some dangerous activity like driving Mosport-style race cars. They died because they drank your water and because you didn't heed the warning.

You're being warned now. You're being warned by some of those very same experts, the actual Ministry of Labour inspectors who have been out there doing those on-site inspections that you tell them are no longer going to be available as of right to workers in this province. Those inspectors are telling you that this approach, your approach, the approach in this bill, "will inevitably result in the tragic circumstances that the lack of regulatory vigilance led to in the town of Walkerton."

"From our own experience," they write, "we have found that what seems like a minor health and safety problem"—this is important stuff—"from an over-the-phone work refusal report generally turns out to be much more serious when we are able to investigate the circumstances directly. Indeed, the ministry's own data will bear out the fact that the work refusal provision is used quite infrequently."

Do you know how many times workers refuse unsafe work in this province? Do you want to know what they mean by "quite infrequently"? I suspect that on a good day the so-called Minister of Labour would have us believe—because he says, "This bill is about government efficiencies." So just how many times do inspectors have to go out there in the field and inspect? How many times do workers exercise their right to refuse unsafe work?

Mr Marchese: It must be a lot.

Mr Kormos: Thousands and thousands of times? No.

Mr Marchese: How many?

Mr Kormos: A few hundred times a year. That comes to around, as I count it, maybe six a week, huh? That's just about one a day—one a day.

One wonders whose efficiencies this part of Bill 57 is all about. There's been but one a day, quite frankly in the total scheme of things less than one a day, across-the-board workplace refusal by workers refusing unsafe work. Listen to what inspectors have to say, that inevitably what sounds like a minor scenario when it's first reported, upon their inspection, they discover stuff that even the worker didn't recognize or identify. Do you understand? The inspectors perform an incredibly important role by virtue of that workplace inspection, and this government is saying, "No, workplace inspections are a thing of the past."

That'll be done over the phone, because what we suspect—as a matter of fact what we know very deep in our hearts and we can feel it in our bones—is that the future of professional public service Ministry of Labour inspectors is somewhat, I was going to say uncertain, but certain. We're dealing with Bill 25 in committee tomorrow. Does Bill 25 ring a bell? That's the privatization agenda of this government that will facilitate the privatization of public sector jobs, public service jobs across the board, including Ministry of Labour inspectors.

1910

This bill, and schedule I as part of Bill 57, contains far more than anybody was led to believe or anybody even dared imagine at the onset, doesn't it? It talks about eliminating workplace inspections. You see, when you have a private sector, for-profit, corporate provider of this so-called workplace inspection, you facilitate their profits by eliminating the need for them to attend at the workplace. It's not just about giving bad bosses, corporate bosses, free reign; it's about facilitating the privatization of these services and its about not caring, in the very least, what happens to workers in the process. It's all about what happened in Quebec City a month and change ago.

I tell you, Speaker, New Democrats were there, along with 65,000 or so of our friends. I tell you that that's what Quebec City was all about. It was all about eliminating the barriers to profits. It was all about lowering the bar. And this government, Mike Harris and his Tories here at Queen's Park, clearly have every intention of listening to their masters' voice. Oh no, not Mr Harris, he's like that little puppy dog I've told you about so many times in the old RCA Victor ad, with the Victrola and the puppy dog sitting there and the caption underneath says, "His master's voice." Remember that ad?

It's all about globalization. It's all about destroying the public sector. It's all about reducing workers to the role they had a century ago. It's all about bigger and better profits for multinational corporations, and it's all about workers paying the price for those profits, not only with their labour but with their sight and their lungs and their hearing and their backs and, yes, their lives.

The authors of this letter, two of the Ministry of Labour's inspectors, point out that it's quite infrequent,

"... a couple of hundred times a year, when compared to the thousands of contravention and stop work orders we issue annually. Likely, there could be many more well-founded work refusals than actually do occur," if I were to explain to you how difficult it is for workers, especially in non-union workplaces, which is the majority of workplaces, to engage in a work refusal.

They write, "As inspectors we are perplexed by the introduction of this questionable approach. While this approach may save some inspector time in the field, we find it inefficient"—inefficient—"with respect to achieving the desired end of enhanced workplace health and safety. We know that the ministry does have a staffing shortfall in terms of the number of inspectors available in the field." I already told you about that. There are supposed to be 278 inspectors; there are only 200 on the job at the Ministry of Labour. "We also have a shortage of other professional disciplines such as industrial hygienists, professional engineers, scientist and occupational health doctors and nurses. These you will recall were drastically cut from the occupational health and safety program in 1996."

Cuts in 1996 to the occupational health and safety program—this government had barely gotten their seats warmed here in the Legislature before they began cutting those very institutions, those very programs, those very jobs that protected workers' health and safety, that protected workers' lives.

Interjection.

Mr Kormos: Yes, Mr Bradley, I'm speaking again, and I expect you will be speaking again as well, because opposition members have a responsibility to expose the agenda of this government, to identify this government's agenda with the same agenda that prevailed in Quebec City five or six weeks ago. Quite frankly, it is not the opposition's job to facilitate passage of this kind of legislation, not by a long shot, not in a million years, not today, not tomorrow, not ever.

New Democrats have no qualms about saying they are firmly on the side of working women and men and their trade unions. I have no hesitation in telling you with great pride that other New Democrats and I will stand with workers and with trade unionists and their leadership. We'll stand shoulder to shoulder with them, arm in arm with them. We'll stand with them in solidarity against this government.

Mr Tilson: Have you spoken to Buzz Hargrove lately?

Mr Kormos: Yes, I have.

The authors write, "However, further limiting an inspector's vital investigative role is hardly an appropriate way to go about addressing a staffing problem." Your senior officials have been met with on several occasions. Efforts to address the issue of shortage of staff by other inspectors have been, according to the authors of this letter, "rebuffed. We have also raised our concerns about the loss of these significant support functions from these professional disciplines and our once world-renowned occupational health laboratory."

"There are many other elements to the proposed amendments that we have concerns about. For example, we do not see the virtue in repealing section 34 requiring an employer to provide notice when introducing a new substance in the workplace."

Do you understand what they're repealing? Section 34 of the Occupational Health and Safety Act requires an employer to give notice when a new chemical, when a new toxin, is brought into the workplace. This government's abolishing that requirement: "Oh, it's red tape." What the heck, it's only 80-gallon barrels of PCBs or who knows what, chemicals that you and I never even knew about or imagined, read about in our lifetimes.

You move on to section 36 and you take a look—one of the problems around here is that a whole lot of people don't read the bill, don't read the legislation. A whole lot of government backbenchers don't take the time. They rely on the polls and the cheat notes that are provided by the government spin doctors. They rely from time to time on what's called the explanatory note of the legislation. I read this explanatory note with great interest.

Section 34 is the one I just talked about. The explanatory note is what most of the government backbenchers are inclined to rely upon rather than a thorough reading and analysis of the bill. So they read, "Section 34 is to be repealed because it duplicates a requirement under the Canadian Environmental Protection Act." So what? I could care less. It doesn't suggest that it was bad law. It doesn't suggest that it didn't save lives. It says that it's paralleled by federal legislation. These guys, the Tories here, love outdoing the feds. Let them outdo the feds.

The more interesting one is the reference to section 36. Catch this. Section 36 is repealed—it's all that's written here—because it "has never been effective." That's interesting. Just what is the section 36 that's being repealed? If this doesn't rot your socks, nothing will, because section 36, and I have it marked up right here, required the provision of hazardous material inventories. They're repealing that. In other words, a workplace that keeps these inventories of toxic chemicals, of hazardous chemicals, of dangerous chemicals, of chemicals that could hurt people and kill people, and not just the workers but the surrounding area around the factory—section 36 required those workplaces to keep inventories of the toxic chemicals they maintained in their workplace. What the government's saying is, "They didn't have enough staff to enforce it, so we're going to repeal it."

Think about that. Think about the safety of workers. The workplace doesn't have to keep an inventory of the types of toxic chemicals that it has in the workplace, that workers are required to work with on a daily basis, be exposed to, come into contact with. It's not just the workers; it's the people surrounding the factory, the people in the homes around the factory, the people driving trucks to and from that factory, delivering stuff, picking stuff up from that factory. It's the firefighters who have to attend at that factory when there's an explosion, when there's an emergency, when there's a crisis.

The government's saying, "It's just red tape. We'll relieve you of this burden of keeping an inventory of the hazardous materials you maintain in your workplace." Some efficiency: rolling the clock back, flipping the calendar back 50, 60 years.

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After this bill is passed, not only do workplaces not have to post the intake of a new hazardous chemical; they don't have to keep an inventory of existing hazardous chemicals. What is the matter with you? Why can't government backbenchers just imagine for a moment what these provisions mean and what they've done for the safety of workers in those workplaces and how repealing them is going to expose workers to the risk of disease and injury and death?

I understand many, if not all, of you will never—maybe you have been, but never again in your lives will you be in those kinds of workplaces. But, please, don't defeat this bill for yourselves. Defeat it for your kids who may end up in some of those workplaces. Defeat it for your grandchildren. Defeat it for the people you know in your church, who may work in those workplaces, or the people you know from your Kiwanis club or your Moose Lodge or whatever happens to be where you spend your time with other people who may well be working in those workplaces. Let's stop this bill in its tracks, dead in its tracks, before we deliver death to workers in their workplaces.

Understand that if any bill ever cried out for public hearings, this bill does, because it's clear that there are a whole lot of members of the Legislative Assembly who need a little bit of a crash course on what it means to work in an industrial workplace, what it means to work in the mines in northern Ontario, what it means to work in the steel mills of Hamilton, Niagara or Welland, what it means to work in places like Carborundum down in Thorold.

Have you ever been down to Carborundum, Speaker? It's one tough, dirty, dangerous job. They make the abrasive wheels you use as grinding stones, right? You know, the wheel down in your basement where you sharpen your lawn mower blade, and bigger ones for industrial use. Big, open arc furnaces full of molten material splashing about. You don't spend more than a couple of minutes in there before you start getting burns through whatever clothing you're wearing—the fumes, the gases.

I tell you, good people work hard at these kinds of jobs and support their families and pay taxes and buy homes and send their kids to college and university. That's the real Ontario. There are millions of them out there.

This is an omnibus bill. Working people are fighting back. The Ontario Federation of Labour have said they've had it up to here. CUPE has said they've had it up to here. There's going to be some retributive action by working people. The Ontario Federation of Labour and its president, Wayne Samuelson, have promised it. Sid Ryan, president of CUPE Ontario, his secretary-treasurer, Brian O'Keefe, and their workers—I was with those

workers two weeks ago, on behalf of the New Democratic Party, at their convention in Ottawa. I was at their convention when they passed resolutions condemning Bill 57 and promising this government that there is going to be workplace action and there's going to be public action to confront this government, to stop Bill 57 dead in its tracks before it kills more workers, and to stop this government in its tracks before it does more injury to the trade union movement.

It's an omnibus bill. That means workers are doing omnibus demonstrations. There's an omnibus demonstration on Tuesday, June 26, at 4 pm—I'm reading it right here: Tuesday, June 26, at 4 pm there's an omnibus demonstration to stop Bill 147 and the 60-hour work-week and to kill Bill 57, which would gut workers' right to refuse unsafe work and defer an increase in the minimum wage. Tuesday, June 26, at 4 pm at the Ministry of Labour building, right here at 400 University Avenue. I'll be there. I want folks to go out there. I want folks to care about the plight of working people. Tuesday, June 26 at 4 pm at the Ministry of Labour. Let this government know what you think about its Bill 57; let this government know what you think about its attack on working people; let this government know what you think about its attack on the trade union movement; let the Tory backbenchers and the Premier know what you think about the Tory disdain for working women and men; and let this government know that you're prepared to do whatever you've got to do to stop Bill 57 dead in its tracks before workers are struck dead by the occupational disease, accident and injury that Bill 57 and its repeal of occupational health and safety and the right to refuse unsafe work entails.

The Deputy Speaker: Questions and comments?

Mr Joseph Spina (Brampton Centre): I'm always interested to hear the comments of the member for Welland-Thorold. Whenever you listen to him, you always think that the sky is falling and suddenly everything is going to come to a screeching halt and people are going to die in the streets.

I want to address the comments he has made, particularly with respect to the labour legislation. What the context of the bill says is that it permits a health and safety inspector to investigate a work refusal in consultation with the workplace parties instead of being required to conduct the investigation in the presence of the workplace parties. Where there are occasions when the regional inspector is some distance away from the workplace site, it allows that inspector to make a preliminary investigation by phone, fax, written report, whatever, in consultation with both the complaining worker as well as the employer.

In a sense that happens now, where the inspector gathers the information prior to them going to the work site. What this allows the inspector to decide is whether or not it constitutes a real danger to the employee, in which case then the employee still retains and has the complete right to work refusal. But where that is not the case, where the complaint, for example, as the one

indicated by the minister the other day, was if you don't think your boss is qualified to keep your workplace environment safe, then that could be considered vexatious.

Mr Dave Levac (Brant): As always, I do enjoy and listen intently to the member from Niagara Centre. He presents with passion and a deep concern for the workers of Ontario. I compliment him on his concern and his desire to make things safer for us.

I want to reinforce something he talked to us about. He reinforces, and I reinforce very vigorously in my role as Solicitor General critic, about our firefighters. We must understand that section 34 and section 36 are exceptionally dangerous to our firefighters who are trying to do a job to keep us all safe and secure. We know there are examples across the province of hazardous waste being stored and maintained in buildings across this province. We on the Liberal side have been asking, along with the NDP, for right-to-know legislation, legislation that provides that knowledge to our police departments, fire departments and emergency measures people to ensure the safety and security of those who are protecting us. With the removal of 34 and 36, nothing could be further. The reality is, our firefighters are going to be jeopardized even further, and that is not acceptable.

I had a personal meeting with the Minister of Labour when I found out the Solicitor General doesn't have authority over this information. I found out through the Minister of Labour that he has the information and that's why they've declared it red tape and useless. The reality is simple. I told him, "What about the reverse? Shouldn't the municipalities, the police chiefs and the fire chiefs have access to that information first, at the ready, in case of an emergency?" The answer from the Minister of Labour was, "All they have to do is call us. If they call us, we'll provide that information." That's reverse logic, as far as I'm concerned, when it comes to the safety and security of our citizens and in particular our firefighters. It's not acceptable. Stop the repeal of 34 and 36.

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Mr Marchese: I congratulate my colleague and friend from Niagara Centre for his long, historical connection to working people and his dedication to protect the rights of workers and to protect the health and safety of working people. He spares no effort and no energy to make sure that he tries to convince this government to do the right thing. What's criminal about what this government is doing is that they are not stupid; they know what they're doing. That's what's more criminal about what they're doing, and you have exposed the fact that these people—

Hon David Turnbull (Solicitor General): On a point of order, Mr Speaker: The member is suggesting that there is some evil, criminal—in fact, he used the word "criminal"—intent behind what we're doing. That to me has never been parliamentary, to accuse the government of criminal activities or intent. Perhaps he wants to either retract it now or step outside of the Legislature and make that allegation outside.

The Deputy Speaker: We always need to be careful with our language in here, and if it's offensive to some

members, it might be wise to choose different words, but the member can continue.

Mr Marchese: What is criminal about what this government is doing is that they're not stupid. They know what they're doing, and I find it offensive, to say the least.

The member from Niagara Centre exposes the modus operandi of this government, which is, "Don't consult the people who are affected. We know better." Minister Stockwell is more divine than the rest of you backbenchers and the rest of Ontario citizens. He doesn't have to consult us and he doesn't even have to consult the inspectors who have warned him about the implications of going through with this bill. He has not heeded the advice of those who are charged to protect the safety of working people.

The member from Niagara Centre said that section 34 will be repealed, which was a requirement that people would be informed when new chemicals were introduced in the workplace. They're repealing that. You've got to be nuts to do that, and you've got to be nuts as well not to keep an inventory of toxic material. What sane government would do that? Thank you, member from Niagara Centre, for exposing that.

Mr Bob Wood (London West): What this bill really is, of course, is a red tape reduction bill. I think the member who spoke perhaps doesn't fully appreciate the importance to jobs, investment and growth in this province, as his government didn't some six years ago, the importance of good regulatory policy and red tape reduction to creating jobs, investment and prosperity in Ontario.

When you look at the bill, you'll find that virtually every provision is designed toward making it more efficient to do business in Ontario. It's not weakening protections for anyone, but what it is doing is saying to those who may wish to invest in this province, who may wish to consider creating jobs in this province, that their problems are going to be understood and their problems are going to be dealt with in the sense that they are going to have a regulatory regime that's going to be responsive and efficient. We're not asking anyone to not comply with the rules; quite the contrary. This bill makes it more efficient and more effective to require business to comply with the rules.

I think some of the members on the other side tend to get so involved in the detail that they do not see the overall picture—not, by the way, that they're right about the detail. They're actually quite wrong about the details, but what they—

Mr Levac: Trust us.

Mr Wood: I've heard that before, but I've declined to do it so far because I prefer to see actual proof and experience. We did have proof and experience when both the Liberals and the NDP were in power, and the experience was not particularly pleasant.

I do, however, suggest to the House that this bill is important from the point of view of good regulatory policy in Ontario. I'm sorry that we didn't hear more from the

speaker about the importance of good regulatory policy and addressing the issue of whether what's in this bill is good regulatory policy. I suggest to the House that it is.

The Deputy Speaker: Response.

Mr Kormos: There's no two ways about it: this is good legislation for corporations that want to maximize profits and don't care about the safety of workers. It's good legislation for corporations that want to maximize profits on the broken backs and broken bones and burned lungs and blinded eyes of injured workers.

See, you don't understand, Mr Wood. Minimum wage at Queen's Park, in this chamber, is some \$80,000 a year. Some of us might have worked in those industrial workplaces, but for those of us who did it's probably been a good chunk of time since we have, and most of us will never be back there. The fact is that there are a whole lot of working people out there, like where I come from and I know where you come from, who work hard for \$25,000, \$30,000 and \$35,000 a year. They sacrifice their health for that. They sacrifice their physical well-being for that. Their joints go, their limbs go, the cancers grow. Their hearing's lost. The bone replacements—come on down to where I live and I'll show you. We'll go to the mall and take a look at the grey-haired senior citizens and I'll point out every single foundry employee. They are the guys with the hip replacements and the arms that are arthritic and the hearing aids. Come on down to where I live and I'll show you the guys who worked in the mills, because they're the ones without one, two or three digits. Go on up north. I can point out to you, in Sudbury or any city up north, a forestry worker or a lumber mill worker. You can tell by the number of digits that aren't there any more. Come to a hospital in Niagara, where the cancer rate is higher than in most other places, and I'll show you what it means to the life of industrial workers who are exposed to toxic chemicals and toxic fumes and toxic gases on a daily basis.

And you want to give licence to the corporate world to expose those workers to yet more poisons? You want to take away from those workers the right to refuse unsafe work? You've picked your side, Mr Wood. I've picked mine.

The Deputy Speaker: Further debate?

Mr Spina: You know, if I'm going to be defended from criminality in this House, then these guys are the masters of subterfuge, deception and misinformation. I grew up in Sault Ste Marie, the heart of Algoma Steel, the heart of the paper mills, the heart of logging country. Don't tell me that I can't recognize a worker who is injured or who has put a day, a lifetime, in an industrial environment. I know what's going on. I know the environment that happens.

Mr Kormos: Who stole your strawberries?

Mr Spina: Hey, you are the master. You're the know-all. If anybody suffers from arrogance, it's you, the member for Welland-Thorold. I have never met anybody with such arrogance.

The Deputy Speaker: Now, I think that should be withdrawn. We don't attack other members in this place.

Mr Spina: Defending my criminality, Speaker?

Interjection.

Mr Spina: Let me focus on the elements of this bill, since I would never call on a drug-induced lawyer to help me defend my criminalities.

From its first mandate in June 1995, the government has placed the need to cut red tape and improve government efficiency at the heart of its agenda. An important aspect of this modern approach to providing services to the public is to model the government processes according to the needs of the citizens and to the needs of businesses. In doing so, the government must always examine how it delivers services with an eye to improving the way it works. Improving customer service and reducing costs saves everybody money.

Mr Kormos: On a point of order, Mr Speaker: Yes, I heard the member indicate that he wouldn't retain, I believe he said, "a drug-induced lawyer." I want to tell him that his Attorney General is straight as an arrow—might drink a little bit, but has never taken drugs in his life.

The Deputy Speaker: That, of course, is not a point of order.

Mr Spina: I think what I said was that I would never hire one.

At the same time, the government improves the business investment climate and it helps to create jobs. This is why cutting government efficiency and improving government efficiency makes so much sense and continues to be at the centre of the government economic strategy. All over the world, political and economic leaders understand the necessity of reducing the barriers to economic activity and job creation and of improving customer service.

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In 1997, the Organization for Economic Co-operation and Development, which regroups many industrialized countries, published a motivating report on regulatory reform. This report stated that regulatory reform that enhances competition and reduces regulatory costs can boost efficiency. It can bring down prices, it can stimulate innovation and it can help improve the ability of economies to adapt to change and remain competitive.

This is more than just an exercise in eliminating obsolete regulations. It is a process of fundamental innovation and—dare I say it, Speaker?—really it is the renovation of government, because that's what we are here to do, to restructure. It involves the changing of the role of government from that of a controller to one of a facilitator. It involves being open and accommodating. It involves looking at what the government does and how it can be more responsive to consumers, individuals, institutions and businesses.

You know something? There's a phrase that is used all over the world in the private sector, and it's called "customer service." Do you know something the government does not have? Service to its customer, and that's the taxpayer. That's what we are in the process of changing. We must provide services that are efficient and cost-

efficient for our taxpaying public. Anything obsolete, unnecessary, redundant, wasteful or confusing that diminishes the province's economic competitiveness stands in the way of job creation, and it wastes taxpayers' time and money.

As I've mentioned, removing barriers to growth is at the heart of the government's agenda for very valid reasons, and it also tops the list of suggestions from the public about ways to improve government. According to a 1998 study called Citizens First, conducted on behalf of the Canadian Centre for Management Development and the citizen-centred service network, citizens' suggestions for improving government services correspond to the changes that we want to deliver to the people of Ontario. These citizens' suggestions for improving services include simplifying forms and documents, creating one-stop service delivery centres, reducing paperwork, providing services by computer and Internet and providing easier-to-get information for the public. This is what the Government Efficiency Act, 2001, would go a long way toward accomplishing.

For too many years, previous governments—of all stripes, I say, Speaker—built a wall of unnecessary regulations in Ontario, a wall that choked small businesses or business important to certain regions of the province. These regulations killed jobs and damaged communities, but our government had a plan and has a plan: a plan to foster a cultural shift in the way it does business with business and the way it helps communities.

As Minister Sterling, the Minister of Consumer and Business Services, said last night when he introduced this bill for second reading, Bill 57 is proposing six amendments, for example, to the Mining Act. This would help many northern communities improve their economic potential. These amendments are administrative in nature. They have the support of the Minister of Northern Development and the Mining Act advisory committee, a private sector group whose membership represents a wide cross-section of stakeholders in Ontario's mining sector, including representatives from environmental groups and from labour. It's important that it does include representatives not just from the business side but also from the environmental sector and labour.

These proposed amendments deal with the definition of a mine owner, the recording of an instrument affecting a mining claim, the replacement of an affidavit with a written notice, the surveys of mining in unsurveyed territory, the transfer of partial crown interest in mining rights by the minister to another co-owner and the minister's right to consider a surrender of mining lands once the rehabilitation work is completed. This is to simplify the business transaction process where these events surface.

This bill would provide members of the Canadian Bankers Association with clarification on situations where secured lenders may enter a mining property to inspect secured property and chattels without incurring the environmental liability. By providing certain lenders access to their secured property, it is hoped that mine

operators may more easily access financing. Let's face it, the banker is not the person who would be causing the environmental issues that might be challenged in a very legitimate way. The mining industry is unique in that mine operators are required by law to have an approved closure plan in place for site rehabilitation. That plan must be supported with sufficient financial assurance for the long-term maintenance and environmental protection of the site. No other industry faces this requirement, but it is important and it's critical in order to preserve the environment.

A closed-out mine would be allowed to have provisions for long-term maintenance and monitoring to be transferred to the crown. The necessary reclamation work would have to be complete and financial resources for long-term maintenance and monitoring have to be made available to the crown. In addition, secured lenders are not necessarily defined as owners in other industries, whereas they are under the Mining Act. An amendment would clarify ownership of the mine and this amendment would make ownership clear to secure lenders and investors in order to clarify potential liability.

By removing the wall of red tape surrounding mining companies, the government is helping many regions of the province where mining is an important and sometimes the only employer. I know that our friends in the Legislature from northern Ontario, yourself included, Speaker—there are mining communities where the economic service, the economic resources they provide to the community, the jobs they provide to those communities are important. It's important that they are able to continue to function well and successfully while still protecting the environment.

This act would also repeal many outdated regulations. Bill 57, for example, would repeal the Ontario Youth Employment Act that was passed in the mid-1970s to establish the Ontario summer employment program. The OSEP program was phased out and completely eliminated by the Liberals in 1989, but the act has been dormant since then.

The Government Efficiency Act, this act, would rescind the old Supply Acts. These acts gave the government expenditure authority during specific time periods that are now in the past. Unless these acts are rescinded, they'll continue to appear on the Statutes of Ontario listing. Almost every year, the government introduces a Supply Act to authorize payment of expenses of the public service of Ontario to a prescribed limit for a specified time, usually a fiscal year. Expenditures must be made in accordance with the votes and items of the estimates in any supplemental estimates. These Supply Acts, from 1991 to 2000, are now outdated and the authority to pay expenditures under these statutes has long expired.

From time to time, it's necessary for the government to pass a Loan Act to authorize the government to borrow funds to pay government expenses during a specified time period up to a specified limit. The Ontario Loan Act of 1997 authorized the government, for example, to

borrow funds to a limit of \$7.5 billion up to December 31, 1998. The time period for that statute has expired. As all of these acts have expired and are no longer required, it only makes sense they should be repealed. By repealing these outdated acts, this bill would clean up the over 60,000 statutes that are on the books of this province.

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The bill would give the independent electricity market operator, the IMO, explicit authority to decide on a case-by-case basis whether or not to exempt a present or future market participant, including the IMO itself, from one or more of its obligations under the market rules. Without an exemption-granting ability, the IMO and the market participants would be faced with non-compliance issues that could be a barrier to existing and new market participants entering that marketplace or, in fact, if it should, it could delay the market opening.

The main purpose of the exemptions is to facilitate transition to competition at the least expense to the marketplace, and ultimately this should be passed on to the consumers. Exemptions would have a duration of not more than five years unless circumstances justify a longer exemption. Exemptions must be in place before market opening, otherwise market participants unable to meet the market rules would either be unable to participate or would do so in contravention of the law.

Parties directly affected by IMO decisions and who made written submissions to the IMO panel would be able to appeal decisions to the Ontario Energy Board. The Electricity Act, 1998, will also be amended to allow this. The IMO would conduct a review of the exemption provision no later than five years after the electricity market opens to competition and submit a report to the Minister of Energy, Science and Technology who, in turn, would table the report in the Legislature.

There are 92 privately owned non-utility generators in the province, and many of these units are small in size and some, particularly in the northern part of the province, are not immediately able to meet performance requirements because of the original design of their units. Other generators would require exemptions while they update existing equipment for the provision of operational information or for voice communication requirements.

Let's not forget that Bill 57 would also increase protection for some stakeholders, notably in the renting market. I'm sure the member from Dovercourt—wherever he's from; it used to be Fort York—might be interested in this: Bill 57 would increase protection for tenants by making it an offence for a landlord to retain a rent deposit and refuse to provide occupancy of the rental unit. While most landlords do return rent deposits to the prospective tenants, they are not currently required to do so. Prospective tenants must go to Small Claims Court to get their deposit back if the landlord refuses to return it. This will make it law. By amending the Tenant Protection Act, it will require the landlord to return that rent deposit if they refuse to provide the rental unit. By making it an offence for a landlord not to do so, we are giving

prospective tenants greater protection against a clearly unfair rule.

This act would also make it an offence for landlords if they do not provide evicted tenants 48 hours to retrieve their property. Currently under the act, landlords are required to give evicted tenants 48 hours to retrieve their property. However, it's not considered an offence if they don't. Tenant stakeholder groups have expressed concern that tenants are defenceless against landlords who refuse to allow evicted tenants access to a rental unit for the removal of their property. This proposed amendment would help address their concerns and in fact make it mandatory to give them access.

We introduced these changes in response to public needs, but also because we must implement a vision of renewing public service strategies that serve people well. We proposed these changes because we recognized the soundness of the people of Ontario's suggestions on ways to improve how government works, and we deliver these important changes. If passed, it would add to the solid track record of this government in modernizing government regulations to focus on quality customer service and support business growth.

Ontario needs to continue to exercise vigilance and to act vigorously to remove job growth barriers wherever the need is identified. Since 1995, many ministries have successfully eliminated a lot of outdated legislation, but the task is not done. We must open a new chapter on our attacks to barriers to job growth. These new strategies are now addressing specific major problems that are barriers identified to business investment, to job creation and to public service delivery.

Bill 57 does just that. As members of the Red Tape Commission, and as a commissioner of the Red Tape Commission, it is always important to remind ourselves that the safety of the consumer is paramount, the safety of the worker is paramount. Getting rid of regulations that make it easier to conduct an investigation, for the communications to flow more quickly, more easily is what we're there to do.

The concern was, for example, if the inspector on a labour complaint that was brought forward were brought out to a site to conduct an on-site investigation and it turned out to be something that could have been easily handled by other forms of communication, but at the same time there was a more serious claim and work stoppage where there was in fact a danger to the employee, that inspector would be drawn off where he or she was more importantly needed to investigate the real situation where a worker was in danger.

The sky is not falling. I suggest to you that the reality is that workers continue to be protected under the labour laws of this province. I urge the members to support this bill when we complete the readings and the deliberations.

The Deputy Speaker: Questions and comments?

Mr James J. Bradley (St Catharines): Well, as the member would realize, it doesn't matter to the government whether or not we support the bill, because the government with its majority will put the bill through and

doesn't have to amend the bill, doesn't have to change it in any way and is unlikely to do so, even though there are a couple of provisions in it that are clearly alarming, because they remind me very much of what happened in Walkerton.

I don't just draw that because Walkerton is topical; it just reminds me of the pattern that happened in Walkerton. There's a warning that people are giving you today about a couple of things you're doing that will potentially have ramifications in the future, and you're ignoring those warnings, the same kind of warnings that happened when Dr Schabas wrote a memo saying, in effect, when the government shut down the Ministry of the Environment labs, which were great labs, and turned over the testing of water to the private sector, that if the government didn't have a provision to notify the medical officer of health, then we would have a problem. It was 1996, 1997 and the year 2000 when that happened. So I found that—I know the member would have liked, if he had had more time, to make reference to that, but he didn't have that time.

Let me take the specific area where there is a concern: right now the Occupational Health and Safety Act says employers must keep an inventory of hazardous substances in the workplace, and they must provide public access to this inventory. Bill 57 repeals this section. This means workers, the public and fire safety officials will be denied access to information on hazardous materials.

Well, I'll tell you, if you have a disaster happen in the workplace, you're going to very much regret the repeal of that particular provision. I know you're going to try to say, "Well, it duplicates something else." It doesn't duplicate entirely. Not all municipalities will have access to that information; they'd have to seek it. So at the very least, that section should be changed in this bill.

Mr Marchese: To the member from Brampton Centre, it has nothing to do with whether or not the sky is falling. It's not an issue of, is the sky falling today, is it falling heavily, lightly? It's an issue of whether or not you're doing the right thing. It's an issue of health and safety. That's what my colleague the member from Niagara Centre spoke to. His concern and mine is, where are the backbenchers? What the heck are you people doing? You either know what's going on, which makes it worse, and if you don't know, what are you doing? This is an issue of health and safety.

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The fact that an inspector ought to be required to go on site when some worker says, "I refuse to work," ought to be something you'd defend. It doesn't matter whether it's one time that the inspector has to go, two times, three times, 1,000 times, 3,000 times. It's not a question of the frequency that matters. If the place is unsafe, you've got to go. That's the point of it. It's not an issue of efficiency. Efficiency is making sure the worker is protected. That's efficiency for New Democrats.

Efficiency is not to say, "My God, we need more inspectors to send on the site." The issue is, are we protecting workers adequately? That's the defence we make.

It's not a matter of whether the sky is falling; it's the matter of whether we're protecting working people. Efficiency ought to mean that we worry about their safety and about their lives, their working lives. That's what it's all about.

So when you repeal section 34, which says it was once required that workers ought to know when new chemicals are introduced—why would you do that? Don't you want workers to know if a new chemical is introduced? Don't you want an inventory of those chemicals? Don't fire workers want to know? Particularly, don't workers want to know? Why wouldn't you care? Where are the backbenchers when you need them?

Mr Tilson: I'd like to respond to the member from Brampton Centre on his comments. I don't really think the members of the opposition have read the bill.

Interjections.

Mr Tilson: Give me a chance, Rosario.

The purpose of the bill is to create efficiency. The purpose of the bill is to clarify misunderstandings in legislation. The purpose of the bill is to enable people to do business better in this province, not with more difficulty as it was in the NDP reign. That's the purpose of the bill.

The member was quite clear with that. Now, all members of the opposition keep referring to Walkerton, that tragic event of Walkerton.

Mr Marchese: It'll never happen again.

The Acting Speaker (Mr Bert Johnson): Member for Trinity-Spadina.

Mr Tilson: There were tragic events in Walkerton—no one's going to deny that—very sad events. People died, people were sick. It's tragic. But what went on—testimony was given, and the hearings aren't over, of course; we keep referring to this thing that's still going on, trying not to prejudice what is going on. But if you listen to the testimony that was given, things that were going on in Walkerton existed in the NDP reign and existed in the Liberal reign.

What was going on? Environmental processes were going on during that time with the thousands of employees they had. The thousands of employees they had, which they say we now don't have, were around when those things were happening. That was the testimony that was given in Walkerton. They forget to say that, but that has nothing to do with this bill. This bill is to make it easier to do business in this province, to enable more revenue to pay for the tremendous social programs that you want and that we want.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I want to pick up on the basic point that Bill 57 is about streamlining government operations, and the point about Walkerton is exactly relevant.

I want to just say to this House: what have we found out this week? What do we now know? We now know that three and a half years ago the chief medical officer for the province of Ontario strongly advised his minister, Jim Wilson, who, to his credit, agreed with the concern that this so-called streamlining of reporting significant incidents could lead to dire consequences. When Schabas

and Wilson blew the whistle inside the cabinet to their colleague, our minister, nothing was done.

Now, we are told that this Legislature should not only pass Bill 57, but we should embrace Bill 46, the Public Accountability Act. I don't expect perfection. None of us does. But I want to say to everyone in this Legislature that Walkerton is very relevant, because we now know that two people, one of them a senior public servant who happens to have been a medical officer of health for the province, and his minister, said, "Don't do this, because if you do, in my opinion," said Schabas, "you could very seriously jeopardize the public health of Ontarians." When the medical officer of health said, with his minister's approval, "Don't do this," the minister sat silent and the cabinet appears to have agreed in that silence and people died. Are there consequences? Is any honourable minister of the crown going to stand up and say, "We goofed in a serious and fatal way, and we will in the name of streamlining accept our responsibility"? Apparently not.

The Acting Speaker: The member for Brampton Centre has two minutes to respond.

Mr Spina: It's not obvious how Walkerton got in here, but it did and that is regrettable. Just for one moment I remind the member for St Catharines that labs were privatized, if I recall, by the NDP government with no controls, or at least a lack of controls, and they should have been put in place sooner.

With regard to new hazardous chemicals introduced into the workplace, there's a system out there that has been developed called WHMIS. It has proven to be one of the most successful private-sector regulatory, information-gathering systems that you could ever want. It is available in conjunction with and specifically for worker safety and for firefighters to be able to know what's there.

With regard to the inspectors and the labour environment, my friend from Trinity-Spadina, the inspector still must investigate. There is no change. The inspector still must respond to each and every claim that comes forward to the Ministry of Labour from a worker. There's no two ways about it. The reality is that the inspector now has the discretion to determine whether it is a real complaint justifying a work stoppage.

This is a good bill. I look forward to it being passed.

The Acting Speaker: Further debate?

Mr Ramsay: I'd like to share my time with the member from Kingston and the Islands tonight, if I may.

I think we may be getting somewhere tonight in that we're peeling away the onion from this government, in a way that it is apparent that this government is sort of the gang that couldn't shoot straight, because they still don't get it. What the member for Renfrew-Nipissing-Pembroke was saying was that you are embarking down the same road that you previously embarked down that caused the Walkerton incident. He capsulized that in a very succinct manner, that gave you the story where an alarm bell was ringing and your government failed to heed it.

Here you are in Bill 57, again with the zealotry that you gather up from time to time to try to make Ontario a better place to do business, as you've expressed tonight, at the cost here of occupational health and safety. You really are the gang that couldn't shoot straight. You're a government going down and it's like a slow-motion picture, watching you unfold. You're going down the same road again. Your zeal is blinding you from the true common sense you should have about what's right and wrong in managing our workplaces.

If you look at the areas of this bill, this peels back all the rights that were fought hard for over the years in order to save people's lives. In one fell swoop in Bill 57, you're erasing all that hard work. You're repealing laws and regulations that basically protect workers in Ontario. What we have here are some of the very basic protections that Ontario workers have and cherish and use every day in workplaces across this province in one fell swoop being cancelled.

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In section 43 of the Occupational Health and Safety Act, I think probably the most well-known piece of labour legislation in this province, the right to refuse unsafe work, is basically being peeled away. When a complaint has been made, the inspector in this case, from now on if this bill passes, doesn't have to come on site and investigate the area complained about. The inspector can handle this on the telephone. I think we're going to find that this alone, taking away this right, is going to cause injury and maybe death in Ontario. I ask you, like other speakers before me, and I know speakers after me tonight are going to ask you, in fact maybe beg you, to rethink this and to not repeal this section 43. This is a very important and fundamental right.

I know you feel that peeling away some of these rights that were won over the years is somehow going to make the workplace more efficient. You know, you might be right. It might make it more efficient. I guess what I'm saying to you is, at what cost? I'd ask you to consider that cost tonight before you proceed down this road.

The repeal of section 36 right now in the Occupational Health and Safety Act has been discussed earlier this evening, that employers must keep an inventory of all the hazardous substances in their workplace and they must provide public access to this inventory. It has been explained that the employer still has to keep this inventory, but no longer is the employer compelled to pass this inventory forward to its workers and to fire and safety workers and services in the community.

I remember being the previous critic for the Solicitor General and working with firefighters with Bill 84 and really learning how important the work of firefighters is in Ontario and how much, on a day-to-day basis, they put their lives at risk, how it's so important that we do all we can for firefighters, who put their lives on the line to save us every day of their lives. Not having that inventory in their fire departments or emergency service offices is putting them in jeopardy. They must have this, and we must dictate in our law, the law that we have today, that

emergency services have a complete inventory of all the hazardous materials that they may encounter when they come to a fire or other emergency requirement.

I just can't believe that you're doing this. It's so simple. If the inventory has to be kept, then we keep the law on the books that it's mandatory that this inventory be sent, on an updated basis, to these emergency services. We not only owe that to our emergency services but we owe that to the communities that these industries and factories and offices occupy. Those whole neighbourhoods should be aware of what chemicals and substances are in those businesses, as should the emergency services. Again, I beg you tonight, you've got to keep that protection in the act. You cannot repeal section 36. You really shouldn't.

Currently, under section 34, another section of the act that you want to repeal, employers must notify the director of health and safety if they bring any new chemical or biological substances into the workplace. They must provide information about what is in this new substance. Here again, this is going to be repealed. The government says Environment Canada really replicates this service, and therefore we could abdicate our responsibility for this. I would say that the province is the first line in protecting our environment and our workplace. The province must keep this responsibility in order to protect its citizens. Again, I ask that you keep section 34 and not repeal it in this bill.

Right now employers must report accidents to the health and safety director within four days. This amended law would require this only if an inspector is notified. Common practice is that inspectors rarely investigate minor accidents; these accidents therefore will be rarely reported. So the director won't know about dangerous workplaces until something major happens.

The first signs, the foretelling, of a major workplace accident is a series of minor accidents. If the director of this act no longer is aware of all the minor accidents that are happening in this workplace, that person will not have a sense of the potential danger of this workplace until something disastrous happens. Again, we're talking about very simple reporting mechanisms that are not really that onerous and yet could have a tremendous impact upon the safety and lives of our workers.

Section 57: presently health and safety inspectors must provide copies of their reports to workers who file complaints. This amended law would only require an inspector to provide this report upon request. Again, like many laws, if you don't know what your right is, how do you know to ask for this particular report? That's why, years ago, the battle was fought and won that it's now mandatory for these reports to be given to the worker; it's the worker's right to have them. If workers don't know, they're not going to know to request this. They shouldn't have to request this, just as emergency services and fire suppression services shouldn't have to request to have these lists and inventories of hazardous substances.

Under the codes of practice—this is a new section—this would give the power to the deputy minister to

accepts codes or standards developed by industry representatives as the law of the land simply by saying so. Therefore, we wouldn't have these bills come before us any more and basically the deputy minister could decide what the current safety rules would be for Ontario workplaces. Again, that should be our responsibility as elected officials.

This is exactly what this government did when they transferred the responsibilities for water testing that resulted in the Walkerton tragedy. As my colleague earlier very eloquently expressed, it was basically tinkering with the reporting mechanisms that brought about the tragedy in Walkerton and we think, from the testimony going on, that is what the conclusions are going to be in this inquiry.

We've seen a series of actions by this government that really are going to be putting workers in Ontario at risk. They're doing this because they want to make Ontario the best place to do business. But I say to the government that if we can't have a safe workplace in Ontario then Ontario won't be a good workplace for businesses to operate in. If we start to devalue our workplaces and start to compete with the lowest common denominator in terms of labour regulations, then we're no longer going to have the Ontario we're proud of and the workplaces we're proud of. We're not going to have workplaces that can protect, as much as we can, the workers and citizens of this province.

We have to do this. This government has to stop peeling away these rights that have been hard fought for over the years and that protect our workers.

Mr John Gerretsen (Kingston and the Islands): I'm very pleased to speak on this bill this evening as well. The first comment I would like to make is that it seems that this government, whenever it brings in an omnibus bill like this—and the people of Ontario should know that this is a major piece of legislation. It affects something like 20 different acts, set out in the schedules attached to the bill. Yes, some of these sections, some of the acts, may make sense. One of the members earlier said that some of these acts no longer apply and therefore shouldn't they be taken off the books? Well, OK, if you want to do that, it's fine. I'm not sure how that's going to lead to greater efficiency. There are certain sections in this bill that I'm sure anybody could support, that make sense.

But this government seems to have, in just about every omnibus bill that has been presented, at least one or two major amendments to major pieces of legislation which, if you were to quickly leaf through the bill, you may not even catch on first or second reading. It is precisely because these sections do make major changes to those bills that we on this side become very suspicious of anything the government does in the name of so-called greater government efficiency. Nobody is against greater government efficiency; we'd all like to see it. But we also want to make sure that the people of Ontario, the citizens and the workers, are protected. That's really what this is all about and what the changes to the Occupational Health and Safety Act are all about.

2020

I went through some of these sections and took out the original statute to compare what the actual sections say now and what is being proposed. I came to the conclusion—I will go through that in a minute, section by section—that there are some major areas where the people who work in workplaces are no longer going to have the same kind of safety protections they had before.

Whenever we've asked the government members, "Why are you changing this?" rather than their dealing with a specific section and saying, "We want to change this section because of these reasons," they always make these global statements: "It's for greater efficiency," or "It's to be more competitive." They never really address the issue.

I would like to go back to something my colleague mentioned about some of these sections. Section 34, for example, says currently: "No person shall manufacture, distribute, or supply for commercial or industrial use in a workplace any new biological or chemical agent unless the person first submits to a director notice in writing of the person's intention to" do so. Then it goes on to give some other descriptions as to what should be in the notice etc.

Why does the government want to get rid of this? Give me one reason. Let a government member give us one reason they want to get rid of this section. They will say, in their briefing notes, that it's because the federal government is already doing it within the federal ministry of the environment. Well, you know what's going to happen. This is going to be another set-up for "blame the feds." If we think it's important that these kinds of incidents be reported and that a director be notified etc, then whether or not the feds have it in their legislation is totally immaterial. We should stick to it. It is a diminishing of our environmental responsibility toward the people who work in workplaces and the people who visit them.

The next section, 36, which was referred to earlier, currently states, "An employer shall make or cause to be made and shall maintain an inventory of all hazardous materials and all hazardous physical agents present in the workplace." That's a reasonable suggestion, a reasonable idea. Everyone should know if there are hazardous materials in a workplace, the workers and the people who visit that workplace. Why shouldn't they know? Everyone should have the right to know that. We should have the right to know, when we walk into a place, whether there are potentially hazardous materials stored in that place, particularly if we work there. Well, the government wants to delete that section in its entirety.

I again ask the members of the government, would somebody get up and give me one good reason you want to get rid of that? That's got nothing to do with efficiency. It may have something to do with the fact that you're making it, I suppose, to a certain extent less demanding on employers to keep that kind of inventory, but it's got nothing to do with whether a workplace is more or less efficient. That rule was put in there for a

reason, and the reason is, as I stated before, that surely people who work in a workplace or people who visit or go into that workplace have a right to know if hazardous materials are being kept there.

The next section was referred to earlier as well, subsection 43(7). This is rather cute, because if you read the change, initially you wouldn't think there's that much of a difference. The section currently says:

"An inspector shall investigate the refusal to work in the presence of the employer or a person representing the employer, the worker, and if there is such, the person mentioned in" another clause. But the operative words are "shall investigate the refusal to work in the presence" of these individuals.

What does the new section say? These three people don't have to meet to discuss this. No, there shall merely be a consultation, whatever that means. It certainly means something less than people actually being on the work site and being able to discuss this and make their own observations about these hazardous materials etc.

Again, it is a lessening, a diminishing of the environmental standards. You can go through just about every section contained in the amendments relating to the Occupational Health and Safety Act and come to the same conclusion, that it is a diminishing of the protection that currently exists in the act.

I don't think, in all fairness, that has anything to do with the greater efficiency of government or the greater efficiency of the workplace. I think what it has to do with is that if you put in those restrictions in a less onerous way, you can do with fewer inspectors, fewer directors and fewer protections for the people who work there and the others who may come into the workplace.

That's why all of this is so relevant to the point that was made earlier by the member from Renfrew North and other members when they spoke about the effect that Walkerton has had on all of us. Yes, the jury is still out as to who was ultimately responsible. But from the evidence so far that has been presented in open hearings, there can be no doubt about it—absolutely no doubt about it—that there were serious concerns by the chief medical officer of health of the province of Ontario, which he then passed on to the Minister of Health, and the Minister of Health at the time, in 1996, was concerned enough to write a letter and request changes at the Ministry of the Environment to ensure that the necessary inspection tools and methods were in effect to ensure we had clean drinking water.

It's all connected. If you lessen the standards and lessen the inspections, you are more likely to get involved in a situation that is hazardous to people's health. Obviously, we all regret what's happened in Walkerton.

So I would invite the government members to get up from their seats right now and indicate why they feel it's necessary that sections 34, 36 and 43 are being repealed in this act.

The Acting Speaker: Comments and questions?

Mr Marchese: We New Democrats share the same concerns as the two Liberal speakers. We refer you to

and remind you of the letter written by inspectors to Minister Stockwell, in which these inspectors say, "We have grave concern about the proposed changes to section 43(7) of the Occupational Health and Safety Act, which will now allow an inspector to investigate a work refusal without having to be present at the workplace to examine the actual work situation. As health and safety professionals, we find this an absolutely unacceptable approach that perverts the basic tenets of good investigative practice and sound health and safety and industrial hygiene principles. Such an approach will inevitably result in the tragic consequences that the lack of regulatory vigilance led to in the town of Walkerton."

You see, they alert us to the problem experienced in Walkerton. They're saying, "Please learn from your past errors. Don't do it again." Like unschooled tutors you don't seem to learn or want to learn, because you're not learning from past experience and you're not learning from your own bad judgment you made in Walkerton with respect to the water. You're doing it again with respect to this, and these inspectors are alerting you to a looming problem that's about to occur here.

What, I say to you, is obsolete, redundant or wasteful about requiring inspectors to be on the sites to inspect an unhealthy workplace station? I've got to tell you, good citizens, if you're opposed to this, there's going to be a demonstration on Tuesday, June 26, at 4 pm, the Ministry of Labour, 400 University Avenue. We invite you to join the demonstrators if you are as concerned as we are about this issue.

2030

Mr Bart Maves (Niagara Falls): I'll try to set aside some of the fears that the members opposite would like to put into the people of the province of Ontario with regard to section 43(7) and the right to refuse work. That right to refuse work is not being tampered with whatsoever in this legislation. Anybody who feels they are in an unsafe situation has the right to refuse work. When a Ministry of Labour inspector is called about a work refusal, he can talk perhaps on the phone with someone from the employer and a representative of an employee, a member of labour, about that situation. If that inspector, after doing that, feels that he or she doesn't need to go to the workplace to see at first hand the problem in question—perhaps he's familiar with the workplace, perhaps he's familiar with both the employer and employee representative, perhaps he's even familiar with the person refusing to do the work, because that person has refused to do this work several times over—then that inspector can make that decision to not go to that workplace.

So even those inspectors who write in about it, as the member says in his letter—which I have not seen, but I have no reason to doubt him—can still decide to go to the workplace and inspect where there's a right to refuse. That is the case, and the members opposite trying to fearmonger about the right to refuse are wrong, and they should not be doing that. The member actually said he doesn't care if someone refuses to do work 1,000, 2,000 or 3,000 times; that inspector should still go to that work

site and inspect it. Well, that's a very good example of when an inspector may know the workplace parties and may decide he doesn't need to go to that workplace.

Mr Tony Ruprecht (Davenport): The member from Kingston and the Islands is absolutely correct. Nobody is against government efficiency, nobody is against streamlining, but certainly there's a question here of responsibility. It's the responsibility of Bill 57 not to repeal certain sections, such as when the inspector should do his duty and report hazardous chemicals in any factory or plant. That section should stay, because of what happened in the Junction Triangle, I remind you, only a few short years ago.

The Junction Triangle, in the west end of Toronto, has the highest concentration of chemical companies. We have the highest incidence of sickness in people living in the area and of schools being shut down. Why? Simply because the fire department, when called in to quell fires, were not told what chemicals they were fighting. If our firemen and firewomen come in to try to fight a fire and do not have access to a list of chemicals in a factory or on a shop floor, they are exposing themselves to grave danger. We know that.

Secondly, think about this: the member from Kingston and the Islands made absolute sense when he said the new amendment would allow an inspector to investigate over the telephone and not at the workplace itself. How can you investigate? That's like saying, "Let's tax this house by driving by"; we call that windshield assessment—

Mr Steve Gilchrist (Scarborough East): I will have an opportunity in a couple of minutes to address more fully the error of the ways of the member for Kingston and the Islands and the member for—oh, Mr Marchese. I'm sorry; I forget your riding. The bottom line is that you gentlemen have voted against every red tape bill, everything we've done to relieve the barrier on small business, the things that have created 840,000 jobs in this province, that have increased our tax revenue \$11 billion.

You, sir, put in place all those barriers, building on the foundation left to you by the Liberal Party. It's not surprising that you would be upset as we dismantle all of the barriers you put in place so that people in Ontario couldn't keep money, couldn't create jobs, couldn't make this the best place to live, work and raise a family. You're just being consistent.

The Acting Speaker: The member for Kingston and the Islands has two minutes to respond.

Mr Gerretsen: I appreciate what all the members had to say, but again, he did not address the issue. He talked in generalities, as if getting rid of these particular changes is going to change everything. He already claims that his government has done so much with all of these rules and regulations still being in place, so what's he complaining about? What is he complaining about? He still hasn't given me a reason as to why an employer should not keep a list of the hazardous material that is on his site. That's what section 36 right now requires. Why should that be scrapped? What has that got to do with

efficiency of government or efficiency in running an operation?

He still hasn't explained section 34, which talks about new biological or chemical agents, why the director should not be given notification of that. What has he got against that? It seems that this happens with each and every bill. We get some generalities thrown at us that somehow it's going to improve our productivity and this, that or the other thing, but nobody on the government side ever deals with the actual amendments that are being proposed and why they are being proposed.

We've given the members of the government ample opportunity and time here today to tell us why section 34 and section 36, which make eminent sense to everybody from a safety viewpoint, are being repealed. If the next member can do that, then please take a minute from your speech and set us straight. There are many other sections like that that affect us in exactly the same way. All we get from that side are generalities; we never get down to the specifics as to why changes are being made. That's all we're asking for on this side of the House.

The Acting Speaker: Further debate?

Mr Gilchrist: I certainly hope the member from Kingston and the Islands sticks around and listens intently to the answer, as I listened to his question, because the answer, Mr Gerretsen, is very simple.

Let me start with section 36, the one where you suggest an inventory of hazardous products should be kept in the workplace. Well, there's a small problem. The Liberal Party passed a bill, the Occupational Health and Safety Act, in 1987. A small matter, though: you never put in place any regulations to defend and enforce the very act. There are no regulations, thanks to what you did, and quite frankly, Mr Marchese, you had five years and you didn't put in place any regulations. So the very suggestion that this bill repeals anything is, sir, a canard. It is a canard. There are no regulations attendant to that section.

What we do have in place, though, is the far more comprehensive WHMIS system. Far more chemicals are controlled. There is access for every fire department to gain a listing of all of the chemicals used under the WHMIS plan. Who told us to make this change, Mr Gerretsen? The fire chiefs themselves. The fire chiefs told us they didn't want information overload; they didn't want to know every ruddy chemical in every plant. What they did want, if they identified a manufacturer in their community where the nature of their business suggested there might be hazardous chemicals or flammable chemicals on site in that premise, is up-to-date, detailed information. Through WHMIS they get far more than they would have gotten even if you had put in place regulations, which you did not.

The same answer applies to section 34. When a chemical is first introduced to this country, under the old act, in theory, they would have told us at the same time they're telling all the other provinces. What we have very pointedly said is that, while this bill includes the provision to ultimately repeal this section, the ministry is

negotiating with the federal government so that there will be one point of contact. And once under—I want to make sure I get it correct—the Canadian Environmental Protection Act, the same chemical registry will take place, but instead of making businesses do it in PEI, New Brunswick, Ontario and all the other jurisdictions, they will have done it once. But until, sir, that national registry is in place, this section will not be proclaimed. So there's two.

2040

I could keep nitpicking, and I must put on the record how outrageous I thought the suggestions of Mr Kormos and Mr Marchese were, how insulting to every labour inspector out here, the suggestion that just because they would be given new discretionary powers to decide whether a site visit was required—and we heard the Minister of Labour give the perfect example, where an employee called up and alleged that he didn't think his boss was well enough trained to be a boss. What the ministry had said was, "Fax us down the particulars, because I don't think this is something that should occasion a three-hour drive out to the factory and a three-hour drive back." It could just as easily be done via fax machine.

If you are suggesting, sir, that any one of the inspectors out there would compromise the lives of the people in the workplaces across this province, then have the nerve to say that out loud, because that's what you're implying. That is scandalous, but it's totally consistent with what you did to them under the social contract. At least you haven't changed. The elections of 1995 and 1999 didn't teach you anything. The very unionized workers you stabbed with the social contract—

Interjections.

The Acting Speaker: The member will kindly address his remarks through the Chair.

Mr Gilchrist: Mr Speaker, of course through you to the members of the NDP, who were so thoroughly set upon by the very workers they insulted with the social contract, it's not surprising that today they would allege that the people who are the front-line defenders of health and safety would so frivolously disregard their obligations. It's disgusting in the extreme.

This bill in its entirety builds upon the work of the Red Tape Commission over the last four and a half years, work that has been, I think by any measure, quite remarkable in the impact it's had on the regulatory burden faced by small business and large business and individuals in this province. The Red Tape Commission has eliminated so far 50 entire statutes. They've amended 200 others. They've eliminated 1,700 regulations. I'm immensely proud to now be part of the commission, and I want to thank my colleagues and my predecessor, Mr Spina, who was the first person on the government side to speak tonight to this bill, for the great work they have done to date, and I know the commission will continue to look for every possible opportunity to eliminate the barriers that businesses face in this province.

Our fight against red tape is not unique. Many jurisdictions around the world have picked up on the example

of Ontario. But I found it interesting that a recent Harvard University-World Bank study, taking the data from the province of Ontario exclusively as the representative sample for Canada, judged that out of all the jurisdictions in the world, we were the place where small business, a prospective small business person, faced the least amount of red tape, the fewest barriers to creating new jobs and growing.

We're committed to that path, and this bill is another example of that commitment, a commitment that we've been building on since 1995 for a stronger economy, complemented by a tax cut policy that has reduced the taxes for individuals in this province by 42%, that's leading corporations down to the lowest tax of any jurisdiction in North America. I know the folks on the other side think it's just coincidence that each year for the last three-plus years, Ontario has led the industrialized world in the increase in gross domestic product—not the first in Canada, not the first in North America; the first in the world. While we're talking about educational issues around here, maybe the math class you folks went to was different than the Toronto public school I went to, but you can't get better than first place, and that is the tribute that the World Bank and Harvard University have given to the province of Ontario.

The proposed changes in this bill are a result of the practice of the Red Tape Commission to listen to the voice of the public and of business. They are calling for fairer rules, more efficient rules, easier-to-understand rules. This bill does just that. As you've heard before, this bill changes 120 regulations in 15 different ministries, and we haven't stopped there.

When we took office six years ago, we recognized that red tape was one of the biggest barriers, along with a bureaucracy that was too big and taxes that were too high. All of these things were strangling the innovation of small business.

I don't have to look any further than my own riding to see thousands of new jobs, to see the direct effects of changes from previous red tape bills. In the very mall where I have my constituency office, we have an Ontario Connects kiosk. That Ontario Connects kiosk is a visible demonstration of how this government has applied creative thinking and new technology to solve red tape problems that existed before we were elected.

Up until 1995, if you wanted to incorporate a business in Ontario, it would take roughly eight weeks. But 50% of the people who applied the first time were rejected and had to refine their applications. It took from 12 to 16 weeks for those folks. After you got your original registration, the average business then had to go to four other ministries or agencies of the government to complete all of their licence approvals. Now, as the result of a previous red tape bill, the Ontario Connects kiosk will register a new business in Ontario and give that information to every other agency that needs it in under 20 minutes. Not 16 weeks—20 minutes.

At the same time, previous governments said that we couldn't trust restaurants and bars. Even though Visa or

MasterCard had trusted them with one of their pieces of plastic, we couldn't trust them. I don't know what we were thinking in terms of how we would suffer, because we would get our money from Visa or MasterCard if those cards were allowed, but both the previous governments turned down proposals from the hospitality industry to do just that.

We took a different tack and in one fell swoop we improved the cash flow for bars and restaurants in Ontario by \$300 million, money that could be applied to improve their premises, hire more staff, lower their prices, increase their promotion. Any number of opportunities were given to them. Some \$300 million was freed up in just one sector of our economy.

We chuckle about a number of the things we inherited, which we've cleaned up through bills such as Bill 57 here today. When we were elected, if you were filling out a mining claim up in northern Ontario, one of the most important industries in this province, the previous government said, "We know what colour pen you should have to use. You have to use red ink." Now, I know that the previous government used to get a volume discount buying red ink, but it's taking it to an extreme to expect people to use the same colour to fill out their government forms.

And who can forget the classic example of the requirement that tour buses in Ontario had to carry an axe. That regulation dated from a time when buses had wooden floors and no emergency door. So what happened when buses got to the US border? Well, axes were considered a dangerous weapon. Of course, guns are OK in the United States but axes are a dangerous weapon. So the bus driver would stop and either hide the axe in a little cubbyhole he or she knew about somewhere on the bus or, more likely, they would go up to the side of the road and hide the axe in the bushes, to be retrieved on the return trip. What a ridiculous imposition on another important aspect of the Ontario economy. So that regulation was repealed.

We've got some very important initiatives in this bill, though, that I must draw to the attention of the members opposite and anyone listening. In this bill, for example, we've given new abilities for the ministry to add third parties to the list of those for whom it is an offence to provide false statements to the Ministry of the Environment. The reason for this is that a number of statutes have been created over the years that actually use third parties to do the testing or the review of particular programs.

Perhaps the best example is the Drive Clean program. It's obviously delivered by third parties, namely, garages. They in turn supply the information to another arm's-length entity which is not currently a crown agent and that entity controls the database on behalf of the ministry. Since the Ministry of Transportation relies on that data for making its licensing decisions, it's clear that the information submitted to that database must be honest and accurate. This bill will guarantee that anyone supplying information to the ministry, even arm's-length people who aren't government employees, will be required to be

honest. I guess the members opposite disagree with that standard.

2050

The bill also contains an amendment to authorize the Ministry of the Environment to establish and require the payment of administrative fees under certain acts such as the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act. This notice is put on the Environmental Bill of Rights registry, so we have guaranteed that there will be even greater opportunities for public input and awareness if fee changes are ever contemplated in the future.

The government obviously disagrees with members of the opposition who would suggest the status quo of hiding behind far less visible regulations as the means to change fees for the public as the way to go. In fact, one of the members opposite suggested the new format for considering the establishment of fees was inappropriate. The problem with their argument is that it's already the practice in other ministries and has been for many years. For example, the Ministry of Natural Resources uses the fee structure as part of the fish and wildlife licence. It's also used in the Aggregate Resources Act and 23 other acts administered by the Ministry of Consumer and Business Services. So the suggestion that this mechanism to address the setting of administrative fees is inappropriate obviously flies in the face of existing government practices and practices that applied even under previous governments.

There is another section to this bill that's being opposed by members opposite. These would be the same members who, day in and day out, suggest that they are the voice of municipalities, they are the voice of the public, and somehow we're going against the public interest with the pieces of legislation we bring forward. Well, the amendments to the Conservation Authorities Act are in this bill at the express request of the city of Hamilton, supported by countless other municipalities that have said they want greater municipal representation on their conservation authorities. In voting against this bill, the members opposite will be saying to the good burghers of the city of Hamilton, "We disagree. We don't think you should have the majority say in your own conservation authority. We don't think you should have the right to even set the number of members on the conservation authority. Leave the status quo. Make it far more bureaucratic, far more red tape."

Instead, we've taken a different tack. We trust the municipalities and we're going to give them these expanded opportunities to decide for themselves what is the appropriate number of people and what is the right ratio between public members, city councillors or any other criteria they want to apply.

But perhaps the most important aspect of this bill and the one that truly troubles me when I hear members opposite suggesting they will not be supporting this bill is the changes that would deal with what's called the hiatus problem under the Family Responsibility and Support Arrears Enforcement Act, 1996.

There is a situation right now where if both parties have decided to register a support order with the Family Responsibility Office, and there is an exchange, obviously, of funds between the two parties, and let's say after some period of time there is an understanding that the system is working well, that the payer can be trusted, and the payee decides they will remove themselves, by mutual agreement, from the actual oversight of the Family Responsibility Office and the payment will occur between the two parties directly, that power exists under the act to respect their personal views. That doesn't change.

The problem has been that in the period after they have left the plan, if there is ever a default and the two parties return to the Family Responsibility Office, in that hiatus, there has been some doubt about whether or not there was the regulatory authority to have the Family Responsibility Office recover any shortfall in funds.

I'm proud to say that the Family Responsibility Office had in fact been making every move to recover those funds. The problem is, a recent Divisional Court order set aside the ability for the FRO to do that. While that case has been appealed, the appeal won't likely be heard until fall of this year. Let the lawyers duke it out this fall, but it's far more important to deal with the issue of making sure the sole-support parent—usually the sole-support woman—gets the funds they deserve.

The fact of the matter is, in voting against this bill you jeopardize the ability to collect any funds owing during the hiatus period. To the members opposite, I think that is utterly shameful. So if you don't agree with that section, have the temerity to stand up and say why. Otherwise, I submit to you that is one of the most important changes we are proposing under this act and, I would think, is obviously worthy of your support.

I think we have addressed the concerns, although having asked whether he was going to stick around—I know it's not appropriate, but he posed the question—unfortunately, Mr Gerretsen chose not to remain to hear my speech. But I want to make it clear—

Mr Levac: On a point of order, Mr Speaker: I do believe it's still inappropriate to address anyone's attendance in this place.

The Acting Speaker: It's a point of order.

Mr Gilchrist: Loath as I am, I should never fall into the bad habits of Mr McGuinty or Mr Duncan in that regard. I appreciate the reminder from one of their colleagues, Mr Levac, and hopefully the same message will go back to the front benches of the Liberal Party.

Mr Maves: He got himself in Hansard.

Mr Gilchrist: Yes, Mr Levac did prove he was here today and got himself in Hansard.

The bottom line is, concerns have been raised by both the Liberal and NDP members, and I have addressed them here. If they have any new concerns that they haven't raised yet in the over two hours that they've had an opportunity to put forward their views, I hope they'll take the opportunity to raise them in the next rotation. Otherwise, having addressed those concerns, I submit to

you this is about good government, this is about less regulation for business in Ontario, this is about finding new efficiencies and ensuring that this economy continues to thrive and prosper as no other economy in the world. I'm certainly going to be supporting this bill.

The Acting Speaker: Comments and questions?

Mr Michael Gravelle (Thunder Bay-Superior North): This is quite a big bill, and there's quite a lot in it. There's one aspect of it that actually hasn't been discussed or debated very much at all, and that relates to the Ministry of Community and Social Service and, may I say, the minister's commitment to the developmental services sector and the challenges they face.

As some members may know, in recent years a number of employees and their trade unions who receive funding from Comsoc under the Developmental Services Act have applied to bargain under the Hospital Labour Disputes Arbitration Act. HLDAA deems hospital workers to be an essential service, as I think everybody here knows, and strikes are prohibited as a result. But in return, labour disputes go directly to binding arbitration with an impartial panel of arbitrators.

In Bill 57 the government is amending HLDAA so this mechanism does not apply to employees who receive community and social services funding under the Developmental Services Act. These agencies will now all have to barter under the Labour Relations Act with no choice to apply under HLDAA, which I think could mean the potential for long strikes or lockouts as a prolonged bargaining process takes place. Therefore, those people with disabilities who receive care from these workers could be denied service while bargaining was taking place.

As far as I'm concerned, the move in this particular area is an affront to the so-called lauding of the developmental sector that Mr Baird has done so frequently. Ministers Baird and Clement have said repeatedly that disability issues are a priority for the government, and yet they're removing the employees from essential-service status, which I think puts the citizens receiving those services at risk. I believe this is simply another move by the government to circumvent responsibility and accountability which is covered in HLDAA. This is something that needed to be brought up and, I think, will probably be discussed by a few other members. But that concerns me. We know the challenges that are out there in the developmental services sector. Minister Baird talks about those challenges. Some of the unions that have bargained under HLDAA have a right to do so. This is something that removes that. It hasn't been discussed much, and I think it should be.

2100

Mr Marchese: I know the member for Scarborough East would like the opposition, of course, to raise other issues, and we would like to. But we're so limited in terms of our ability to debate issues. We've got a couple of minutes. I've got a two-minute response here. We had a lead from my friend from Niagara Centre. We haven't got much time, and you've got to focus your energies.

You can't, of course, ramble about every aspect of this big, 100-page bill. That's why we focused our energies on the matter of occupational health and safety. I refer you again, M. Gilchrist from Scarborough East, to the letter written by the inspectors to your buddy Chris Stockwell, who sits in front of you more or less.

They say the following: "From our experience, we have found that what seems like a minor health and safety problem from an over-the-phone work refusal report generally turns out to be much more serious when we're able to investigate the circumstances directly. Indeed, the ministry's own data will bear out the fact that the work refusal provision is used quite infrequently."

Then they say, "Likely, there could be many more well-founded work refusals than actually do occur."

These are the inspectors. I'm not saying this. These are people in the field, on the front lines. You guys have to listen to them, if you don't listen to us.

They also say, "We do not see the virtue in repealing section 34 requiring employers provide notice when introducing a new substance in the workplace." They say the same thing of section 36.

I'm not saying this, members for Niagara Falls and Scarborough East. Your inspectors, who work for you and your minister, are saying this, and they're saying you're not listening to them. They're in the front lines. How could you not be consulting the very people who are involved in giving you a better understanding of occupational health and safety?

Mr Maves: The member for Trinity-Spadina actually proves by his comments that he's not listening. Under the bill, if it passes, it will be at those inspectors' discretion whether or not they want to visit the workplace. The member gave the example that someone could call in with a right to refuse 1,000 or 2,000 or 3,000 times and said the inspector should have to go each and every time. We think that's nonsense. We think an inspector would say that's nonsense. That inspector, who is probably familiar with the workplace after the first 1,000 times he's been there and seen the refusal to work, would talk to the employer representative, talk to the employee representative and say, "Oh, it's that one again. I don't have to come," and he wouldn't go to the workplace to see the work refusal.

Back in 1997, as the parliamentary assistant to the Minister of Labour, I consulted with labour groups and business groups. I did quite a tour for a couple of weeks—I believe it was in July 1997 after I became the parliamentary assistant—following my colleague Mr Baird. I had meetings in Niagara Falls with representatives of business and chambers of commerce. Later on I met with members from the CAW and from district labour councils. We'd talk about the Occupational Health and Safety Act. I was in Windsor and Cambridge and Kitchener and Waterloo and all kinds of different areas.

The employers would talk about the right to refuse and say it unfortunately gets abused often, where people will use it as a labour relations tool. In the afternoon, after meeting with business and hearing this, I'd turn to the

labour gentlemen. After 20 minutes of getting to know one another I told them, "You know, I used to work at General Motors and I know the guys used to put their eyeglasses in their pockets all the time," we would talk about these things and they'd say, "Yes, maybe it does happen now and then." They wouldn't admit it happened as often as business claimed it did, but they admitted it happened.

This just makes the whole system a lot more logical and leaves discretion with the inspector.

Mr Levac: I want to start by explaining clearly my earlier point of order. I came to this place and was told the rules by the Clerk. I have great respect for this place, and I think we need to raise that level. If we start dropping down to the level of trying to call each other names and using inappropriate language in this House, we remove the right of citizens to believe we're doing very useful work here. I rose on a point of order to try to bring decorum into this place and will continue to do so, believing that following the rules is an important aspect of what makes us parliamentarians in this place and for the people of Ontario to understand that I hold it very sacred and dear. Anyone who wants to make fun of it can continue to do so. The people will hear and very clearly understand that there are still people in this place who want to follow the rules.

Further, the member for Scarborough East is trying to explain to us that sections 34 and 36 were easily explained away by saying that the fire chief said, "It was too much information and we didn't want to deal with it." I don't know if he talked to the firefighters. The professional firefighters have made it very clear to me in my discussions with them that they do indeed want to make sure that section does not get repealed. They fear for their lives.

The member for London West made it very clear that this whole bill, every piece of this bill, sections 34 and 36 included, are job killers. It kills jobs, it kills growth and it kills the ability for those companies to make money. I'm telling you right now, I want to go on record, and I will stick to this record, that if you repeal sections 34 and 36, you are going to possibly kill people. It's not acceptable that people who have used this section have asked that information of the Minister of Labour time and time again. Within section 36—the Minister of Labour spoke to me personally and said, "All they have to do is ask us for the information and we'll give it to them." That's reverse logic. Give it to all those municipalities now.

The Acting Speaker: The member for Scarborough East has two minutes to respond.

Mr Gilchrist: To Mr Levac, I don't know what more we have to say. If it was so important to you and the other members of the Liberal Party, why didn't you ever put in place a schedule? There is no power to do what those firefighters are suggesting is important.

If they are under WHMIS, let me suggest to you—and I don't know at what level in the fire department you're talking but Al Speed, the fire chief of the largest municipality in this province, when asked during the Hickson

fire in my riding, one of the largest fires in the province's history and certainly in the last decade, whether he had all the information of every chemical in the place, he said, "Absolutely." The fire department has absolute access to WHMIS—no different than anyone else in the public—and they are availing themselves of that opportunity. If your fire department isn't, I strongly suggest that they consult the Ministry of Labour and find out how to do that. But, sir, I don't believe that this is something unknown to any fire department in the province.

The bottom line is in both those cases we're talking about cleaning up a regulation that you folks never enacted, and it's duplicating the far more comprehensive WHMIS plan.

To Mr Gravelle, if you don't understand the difference about the arbitration process taking place for all of the other agencies that are delivering those important services and the handful that had been incorrectly defined as hospitals, if you really can sit here and look us in the eye and say that those agencies are hospitals, then, sir, I would have to question your judgment. The bottom line is, they're now all going to be treated consistently. They all will still have the same ability to go to arbitration, but the ridiculous comparison with hospitals will be eliminated for that handful and the double standard will be eliminated.

The Acting Speaker: Further debate.

Mrs Lyn McLeod (Thunder Bay-Atikokan): I'm pleased to have an opportunity to participate in this debate this evening. I'm just going to check with the whip, but I believe it would be a 20-minute time slot as opposed to what is currently showing. There we go. I want to be sure I don't run over time, Mr Speaker, because you'll recognize that in this last participation of the evening I am, as my colleagues are, attempting to deal with another omnibus bill. This government's specialty is omnibus bills. I've come to think of them as being the sons or daughters or grandsons or granddaughters of Bill 26, which is one of this government's original pieces of legislation, and which I, for one, am determined to keep in people's memories because I have seen very few pieces of legislation that come from this government which have not been based on some change that was initiated in that original piece of legislation, Bill 26.

You'll recall, Mr Speaker, that Bill 26 was a piece of legislation that we were compelled to have one of our members sit in this House overnight just to try and stop from being passed with no hearings, no consultations, in a brief period of time before the House was adjourning for Christmas. We finally managed to get two weeks of hearings on that omnibus bill, which has brought about truly significant changes in major pieces of legislation.

While we have had a series of omnibus bills since then, we haven't been able to have any members sit in the House overnight because of course the government changed the rules so that we had no ability to force the government to take even omnibus bills on major pieces of legislation into committee and into hearings.

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Tonight I'm not sure whether or not anybody would classify the act and the changes to the acts here as being, for the most part, major changes. I'm certainly going to want to focus my comments on the Occupational Health and Safety Act changes, in part because of my concern with the changes that are proposed and in part because I see it as part and parcel of a pattern this government has adopted of being prepared to take significant risks with the safety of workplaces and the safety of our environment.

But before I focus my remarks on the occupational health and safety components of this bill, I want to recognize the fact that this omnibus bill actually deals with, if I counted correctly, 47 different acts. One of the acts I noticed is the Lakes and Rivers Improvement Act. I don't think I've seen a reference in the House to the Lakes and Rivers Improvement Act since the current Premier, in his filibustering days, decided to hold up the Legislature by reading into the Hansard the name of every lake and river in Ontario. I think that filibuster had something to do with the Lakes and Rivers Improvement Act, but I'm not quite sure.

The ability Mr Harris, now Premier, used as an opposition leader to hold up pieces of legislation which you genuinely believe should not be proceeding in too rapid a way is an ability that's simply been taken away. I'm not sure that any of us would have chosen to use the reading of lakes and rivers into the Hansard as being a way of holding up important legislation, but it was the way Mr Harris chose. Now he sees no reason to have any lengthy debate in the House, which is why we've had a whole series of time allocation motions.

It should come as no surprise that we had a time allocation motion again this afternoon. If there are any paramedics watching this evening, I think it's important they know that the government has brought in time allocation on Bill 57, the bill that significantly changes the way in which collective bargaining for paramedics in this province will be carried out. It's a bill we have serious concerns with, as do the paramedics, because we believe it is going to lead to significant labour unrest.

We've had a time allocation on that bill. It will go to committee for one day next Tuesday—at least there's a hope in committee to make amendments—and then come back to the House for one day of third reading. That's the way the government deals with significant changes to legislation that affect a great many lives and, indeed, I would contend, when you're dealing with something like paramedics, the safety of the population of Ontario.

I'm not going to speak to all 47 acts tonight. I am going to concentrate on those parts of this omnibus bill which I think are of serious public concern in terms of public safety.

I noticed the member for Scarborough East was talking about our opposition to the Conservation Authorities Act. I'm not sure that any of my colleagues have spoken about the Conservation Authorities Act, so I'd be interested in knowing what the member for Scarborough

East thinks we are objecting to. Maybe we should be objecting to it if he's so concerned about our opposition to that part of this omnibus bill.

I noticed that one of the things he said about that conservation act change was that it was supported by the city of Hamilton. His statement was—and I wrote it down because I was so intrigued by it—“We trust municipalities and we are prepared to give them more responsibility.” If that isn't the understatement of a Conservative government member. This government has more than entrusted municipalities with far more than the municipalities ever asked to be handed.

The Planning Act is another of the acts that's addressed in this bill. It has something to do with the way in which upper-tier municipalities can devolve responsibility for Planning Act approvals to lower-tier municipalities. I have a number of those lower-tier municipalities in my riding. In fact, I don't really have an upper-tier municipality. We have something called district area services boards but we haven't been forced to amalgamate into an upper-tier municipality yet. Do you know what those lower-tier municipalities are telling me about the changes to the Planning Act, one of which is in this omnibus bill? They're telling me they've been given this new responsibility for planning approvals. They don't mind being given the authority for planning approvals, but they haven't been given any of the money that the province used to spend on the planning approvals process. It seems to them that that's a somewhat unfair shifting of the responsibility.

The member for Scarborough East, who spoke just before me, waxed eloquent about the economic success of Ontario and how the elimination of inefficiencies and barriers to business was a key factor in that economic success. I've looked at the 47 acts and I honestly can't find anything in this bill that is going to be recognized internationally as the removal of a barrier to business success.

If that's what the Harris government is going to found its future economic policy on, these changes in 47 acts, ranging from the Architects Act to the Courts of Justice Act to, let me see, the Funeral Directors and Establishments Act, some change to the Electricity Act—it would take me my entire 20 minutes to read all the 47 acts that are being changed by this bill, so I won't do that—I'm just not sure that the member for Scarborough East can hold this act up as something which is a significant step in international recognition of Ontario's openness for business.

What I do believe is that this act is yet another initiative on the part of the Harris government which is an abandoning of responsibility to ensure that there are safe procedures in our workplace, and that is what I want to focus my remarks on this evening.

I want to start, though, with the repeal of section 43. I recognize that sections 36 and 34 have been the focus of much of the discussion, but section 43 also caught my eye. Section 43 says that whereas under the current law workers have the right to refuse unsafe work, they have the right to have the workplace investigated by a Ministry

of Labour inspector, and they have the right to be there during an investigation, the amendment in this bill will allow an inspector to investigate over the phone and not at the workplace itself.

I simply do not understand how an inspector can investigate a workplace safety complaint if he's not there. I suppose the worker still has the right to be there, but it doesn't help very much if the inspector is not there, actually looking at the situation which is the focus of the complaint. It seems to me like one of the most ludicrous amendments that I've seen to a piece of legislation. As ludicrous as it might be, it could have serious consequences in that the investigator investigating the complaint, not being in the location to be able to actually look at the complaint and judge the seriousness of it, may make faulty decisions about the safety of the workplace.

I know that this government has done some very strange things in the past, things that don't make sense. There's a reference in Bill 57, again because it's an omnibus bill, to the Family Responsibility Office. The member for Scarborough East made some explanation of why that particular change is in the bill. I don't have a need to get into that, Mr Speaker, because whatever this change is, it's not going to address the sheer chaos that this government introduced when they made a decision about dealing with family responsibility, the enforcement of court-ordered payments for child support that meant regional offices where people could actually walk in, sit down with an enforcement officer, discuss the situation, and the enforcement officer in turn could go into the community to deal with the issue. This government changed that so that in my community that regional office was shut down. It was replaced by a telephone call, a telephone call dealt with here in Toronto. This House has had a litany of examples that come from every constituency office. They would come from the government constituency offices too, if the government members were allowed to bring forward criticisms of their own government. But certainly opposition members have brought forth example after example of the sheer chaos that continues to reign in the enforcement of court-ordered child support, because you can't deal with people in such real situations over the telephone. The regional offices were far more effective in dealing with those situations because they knew the reality of the people and the reality of the situations.

I submit that in the same way, having a Ministry of Labour inspector deal with a complaint about workplace safety over the telephone is going to be fated to be totally ineffective and in fact potentially dangerous. Let this be offered as yet another of the warnings to the Harris government that they may, some few years down the road, have cause to wish they had heeded.

The same concern, I believe, applies to any discussion of the repeal of section 36 and section 34. Section 36 says that employers must keep an inventory of hazardous substances in the workplace—that's what is currently in the bill—and they have to provide public access to that information so that people know not only what is in the workplace but that they have access to that. There's an

inventory of what's there and the public has access to it; there's an awareness of what the risks are. Bill 57 repeals that section so that you don't have to keep an inventory any longer and you don't have to provide public access.

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The member for Scarborough East says, "Don't worry, it's all in WHMIS." I don't see how this particular duplication, if that indeed is what it is, does anything except add to the assurance that that inventory will be kept and that the people who are in that workplace will be made aware. We're not just talking about access by police and fire to information about hazardous substances in the workplace; we're talking about the employees who are in that workplace being aware. We're talking about people who may be on a more incidental basis in the workplace being made aware of potential hazards. I just don't understand why you need to bring in a legislative change to remove something which—my office hasn't gotten a lot of calls about this. Nobody has come to my office and said, "This is an onerous responsibility. It's interfering with our ability to do business, and as a result of that we're not being recognized internationally any longer as a place that's open for business." Nobody has come to my office and said, "This is a really significant barrier."

What I know will come to my office is that if there is an accidental workplace spill, if there's an accidental contact with a hazardous substance, and this government repeals a provision of the act that provided an assurance that there would be an inventory and there would be a public awareness of the presence of hazardous chemicals or hazardous substances in the workplace, this government saw fit to repeal that.

The other thing, and maybe it's an even greater concern, is that currently employers must notify the director of health and safety if they bring any new chemical or biological substances into the workplace. Bill 57 removes that requirement. Again, the government says it's a duplication. They say it's a duplication because Environment Canada demands the same thing. I would argue as strongly as I possibly can that there must be a direct reporting to the Ontario government of any potential hazard that's created by bringing new chemical or biological substances into the workplace. I don't trust a process which is going to have Environment Canada notified and then Environment Canada in turn has to notify the Ontario government of a potential danger.

The reason I feel so strongly about this—and my colleagues have spoken to this—is that we spent a good part of this day recognizing what we now know to have been the inaction of a government that was warned repeatedly of inadequacies in its reporting procedures on water testing.

I think you've all seen the story that was in the Canadian Press today based on a story that was on the CBC, and we know the Walkerton situation. We know that Dr Richard Schabas, the province's top medical officer in 1997, wrote to the health minister of the day, Jim Wilson, regarding the lack of legal requirements in the reporting of bad test results. Dr Schabas said at the time that with

privatization of water testing there needed to be a legal requirement to have bad test results reported to the local medical officer of health, and he called the lack of any requirement a serious oversight. Those warnings went unheeded by five different ministers of the government and nothing was done about reporting of water testing results, a protocol for clear reporting lines, until seven people died in Walkerton.

I'm not prepared to accept an argument from the government that says that for some greater administrative ease, to eliminate duplication for the sake of eliminating duplication, we are now going to have reports of dangerous, hazardous substances in the workplace made to Environment Canada in the hope that Environment Canada will put in place a protocol that would report back to the province of Ontario. That's not good enough. There is no reason not to have direct reporting.

Nor is there any reason to repeal section 52 of the Occupational Health and Safety Act, which says now that employers must report accidents to the health and safety director within four days. The amendment in this bill would require this only if an inspector is notified. What that means, since inspectors rarely investigate minor accidents, is that the minor accidents will rarely be reported. That means the director isn't going to know about dangerous workplaces until something truly major happens.

I don't think we should be setting up a legislative system which removes safety precautions and substitutes an inadequate reporting mechanism, whether it's in the repeal of section 34, letting Environment Canada take the responsibility of reporting dangerous substances in the workplace, or whether it's the repeal of section 52, in which employers only have to report accidents if an inspector has already been notified. I don't think we need to remove those safety provisions and create a situation in which we are not alerted to a problem until something major happens. Surely we don't need more deaths.

I guess I'm particularly concerned about this because there are so many situations in which the government has taken action and has been warned that those actions are going to compromise health and safety. I think of the nursing home situation: again, a weekend story, a tragic story of two men having been beaten to death in a nursing home. Do you know how many times in the last six years we have warned this government of what would happen when they removed the regulations, the minimum nursing requirements for nursing homes? Do you know how many times we've raised the issue of the concern that people working in nursing homes have about the safety of their patients and indeed about their own safety? But the government doesn't choose to heed any of those warnings. It doesn't take them seriously. They probably think it is just some sort of shoddy ploy in order to get more money for the nursing homes. And so we had another tragedy over the weekend.

Ambulances and emergency room crises: how many days and weeks and months have we tried to make this government understand the seriousness of the emergency room situation and the fact that we have people who are

being shuttled from hospital to hospital because there is no room for them at a hospital, when we have hospitals 100 times more often on critical care bypass this year than they were in a similar period last year, 100 times worse in terms of people not being able to get a place in an emergency room when they're critically ill? And yet this government doesn't act.

How many times have we tried to make this government understand that the reason emergency rooms are clogging patients they can't come in is because there is literally no room for them in the hospital? We've had two inquests already on deaths because of the emergency room crisis. We have three investigations and another inquest currently being undertaken by the Ontario coroner, and that's in the greater Toronto area alone. And yet the government doesn't heed the warnings.

How many situations do we have to face, how many deaths, how many inquests before this government is prepared to hear warnings and take reasonable steps to protect the health and safety of people in Ontario,

whether it is in their workplace, in their homes or in the communities in which they live?

If there were more time, I would like to discuss the issue of community and social services and the withdrawal of community and social services workers from HLDAA. I recognize that this is something which places community and social services workers, people who provide developmental services care to individuals with disabilities, in the same kind of bargaining framework as other employees of Comsoc. But I do want to recognize that it comes at the same time that the government is mistreating ambulance workers, other health care workers, in terms of essential services. I think one of the goals of this government is to get rid of essential services workers. Thank you.

The Acting Speaker: The member's time has expired. It now being 9:30 of the clock, this House stands adjourned until 1:30 tomorrow.

The House adjourned at 2130.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Gary Carr
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Sarnia-Lambton	Di Cocco, Caroline (L)	York Centre / -Centre	Kwinter, Monte (L)
Sault Ste Marie	Martin, Tony (ND)	York North / -Nord	Munro, Julia (PC)
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		Vaughan-King-Aurora	Vacant

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Second Session, 37th Parliament

**Assemblée législative
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Deuxième session, 37^e législature

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Wednesday 13 June 2001**Mercredi 13 juin 2001**

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 13 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 13 juin 2001

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

COMMUNITY CARE ACCESS CENTRES

Mr John Gerretsen (Kingston and the Islands):

Mike Harris says that it's a shoddy ploy for our volunteer community boards at the community care access centres to get more money to provide critically needed home care and nursing care services for our seniors, frail and elderly and those individuals released from our hospitals quicker and sicker than ever before.

His own government-commissioned report clearly states that all of our access centres across the province lack money and have staff shortages and excessively long waiting lists for our parents, grandparents and loved ones requiring health and personal care so that they can stay in their homes longer at a much lower cost than if they were institutionalized in hospitals or long-term-care facilities.

Mike Harris is providing \$175 million less than the government actually paid for home care and nursing services last year. His actions clearly show that as far as he's concerned, it's more important to provide a \$2.2-billion corporate tax cut, cut hospital budgets, slash home care and the universality of drug benefits programs for seniors than to put adequate, much-needed funding to help our incontinent seniors and to bathe and dress our frail elderly who want the dignity of living in their own homes.

Premier, are you now inventing and continuing a crisis in home care as well so that you can destabilize our precious health care system as you did to our public education system?

As my leader, Dalton McGuinty, said yesterday, "The only thing that is shoddy here is Mike Harris's continuing disrespect for the people of Ontario."

CAMPING

Mr Doug Galt (Northumberland): Today I rise in the House to recognize a local non-profit camp for youth that has been operated since 1993 in Northumberland by Joe and Christine Schur of Dartford. Under their stewardship, some 22 acres of land have been transformed into four beautiful campsites that can accommodate up to 150 people. With help from local service clubs, there are now

10 buildings located on the campground as well as indoor camping for up to 40 campers. Many groups have had the opportunity to use this land, such as Scouts Canada, Girl Guides, 4H and other youth groups. It provides opportunities for youth to learn through experience in an outdoor setting.

This past weekend was the annual Warkworth scouting camp, where 75 beavers, cubs, scouts and venturers were at the camp. The weekend is always a tremendous event that I've had the honour of attending over the years. I always appreciate meeting the youth and enjoying the activities of the weekend.

This year the highlights of the weekend were a visit from the folks and animals from Jungle Cat World to enhance the African theme, a 100-foot waterslide, a church service and the annual banquet. Joe and Christine Schur have been wonderful supporters of youth over the years, and I commend them for their hard work and their dedication to operating this non-profit facility.

COMMUNITY CARE ACCESS CENTRES

Ms Caroline Di Cocco (Sarnia-Lambton): My statement is to drive home to Mike Harris the reality faced by seniors and their families who require home care in Sarnia-Lambton.

Ivan Morrison was ill. He had vascular dementia, diabetes and heart disease. His daughter sold her home to live with her dad in order to care for him. She also worked as a nurse in the local hospital and requested home care for her father. All that was provided was two hours a day.

In April, Ivan was forced into hospital because there was just not enough home care, and the family could not keep up with the father's needs. The hospital kept him only for a short period and, because of lack of home care, told his daughter to look for a nursing home or else be forced to pay for the hospital stay.

The family and Ivan just wanted enough home care to keep him at home. Instead, Ivan was put into a nursing home in Forest, which was about an hour of travel time away. Ivan Morrison didn't want to go away from his family, his daughter didn't want to put him into a nursing home, but there was not enough home care provided by the CCAC to keep him in his home.

Ivan Morrison passed away two weeks ago at the nursing home. And the Premier had the arrogance and the ignorance to suggest that seniors should just be grateful to live in this Ontario.

ONTARIO'S PROMISE

Mr John O'Toole (Durham): I rise today to talk about yet another strong initiative launched by Premier Harris, as part of the government's ongoing commitment to the children in the province of Ontario, called Ontario's Promise.

Launched last November, a series of 47 community volunteer summits are taking place in centres across Ontario. On June 22 in my riding of Durham, the Volunteer Resource Centre for Durham Region is inviting the public to come to an Ontario's Promise session. It's at Durham College in Oshawa, from 9:00 am until 11:00 am.

Ontario's Promise is a program designed to help children and teenagers develop interests and skills that will help them build a strong foundation in their future lives. This new and interactive program is a non-partisan project that reaches out to communities across our province and challenges our business, service clubs and individuals to get involved in the lives of our young people.

Businesses and organizations get involved in many ways, like contributing space or resources for meetings and activities or by making financial contributions. The Ontario government has committed \$2 million in annual funding over the next three years.

The five promises that form the basis of Ontario's Promise are as follows: a healthy start for all children; an ongoing, positive relationship with a caring adult; a safe place that affords positive, meaningful activities outside the home; marketable skills through effective education; and an opportunity to give back to their communities.

As you know from my previous statements in the House, there is a strong, thriving community spirit in the Durham region. I know that many volunteers in the area will welcome an opportunity to learn to participate—

The Acting Speaker (Mr Bert Johnson): The member's time has expired.

COMMUNITY CARE ACCESS CENTRES

Mr Ernie Parsons (Prince Edward-Hastings): My office is inundated with calls from seniors who need home care health care. I know the government members must be receiving the same calls. I say to the seniors of this province, this government is failing you.

We are talking about people who have made sacrifices and know what they are: the Depression, world wars. They have gone through them without complaint. It is incomprehensible to me to think now that we have veterans in this province who are not getting the services they need.

When exactly did we lose our compassion in this province? When did we realize that seniors aren't good business? When did we realize that seniors do not fit into a business plan? The members on this side of the House never realized that, because we respect seniors, but on that side they have become numbers in a formula.

The seniors are not asking for a free ride. They've paid for each and every one of us. What they're asking

for now is that they get the services they need. The people of Ontario are willing to pay for those services. The priority should not be a tax reduction for the American corporations operating in Ontario; the priority should be basic delivery of services to seniors.

The seniors respect this government. The seniors are not by nature complainers. It is wrong of Mike Harris to take advantage of them on this. On behalf of the Liberal Party: the seniors need better treatment than they are now receiving.

1340

AIR QUALITY

The Acting Speaker (Mr Bert Johnson): The Chair recognizes the member for—

Ms Marilyn Churley (Toronto-Danforth): Toronto-Danforth.

The Acting Speaker: I'm sorry, Toronto-Danforth.

Ms Churley: That's the first time you've forgotten, Mr Speaker.

A US study just released in the latest issue of *Circulation: Journal of the American Heart Association* makes for the first time the link between smog and heart attacks. This is very disturbing news, given that we already know that up to 1,900 people die prematurely in Ontario each year because of smog-induced asthma and other respiratory problems.

Smog is caused by a lot of things, but what I'm going to focus on today is the 40% of smog that's caused by vehicle emissions. Yet this government continues to refuse to fund public transportation in this province. When the government came to office in 1995, one of the first things they did was withdraw all funding for the operation of the TTC here in Toronto and for any public transportation across the province.

The Minister of the Environment recently attended a smog summit here in Toronto and, when asked about what her government was going to do to help with the problem, this is what she said: "In the months and weeks to come, we're going to make some announcements regarding the province's reinvestment in transit. We have made a commitment." We need that announcement made here and now, today. Smog season has started. This is the fourth smog alert. We need the announcement today.

AVIATION PROGRAM

Mrs Tina R. Molinari (Thornhill): Students from St Robert Catholic High School in Thornhill were soaring high over York region last week and reaching new heights. These students are part of an exclusive co-operative education program. St Robert was chosen as one of 10 schools across the country to participate in an aviation course and teach students about the art of flying. The school was chosen by the Canadian Aviation Council as being suitable for development of the aviation maintenance technology program.

This program, which was implemented last September, offers students a chance to explore career possibilities in the aviation and aerospace industry. Combining theory, in-flight lessons and an internship within the industry, students make informed decisions about their career. The in-flight experience that many of these students have received will further their thirst for flying, as many of them had no prior interest in aviation. Because of this program, many are considering applying to post-secondary education programs in this field.

The program is also proving to be very popular, with next year's enrolment doubling. Many friends of the students think it's quite interesting and joke around, not believing this program is actually offered in high school because it's usually only a program for college.

The program is doing a wonderful job teaching young people about a subject that not many know about. Programs such as these provide information about the aviation industry itself and the career potential it has.

I wish the students who are part of the program the best of luck in the future.

HEALTH CARE FUNDING

Mrs Lyn McLeod (Thunder Bay-Atikokan): The Mike Harris government would rather dismiss and demean its critics than deal with the crisis we face in health care.

Mike Harris says he suspects that the plea of community care board members to save home care services might be just a shoddy ploy to get more money. The Minister of Health says that hospital board members are guilty of intellectual dishonesty when they say they don't have enough funding to keep the doors of their emergency rooms open. And Cancer Care Ontario board members were accused of lying when they exposed the government's plans to shut down Cancer Care Ontario.

But the crisis in access to health care is only too real. Let me give you a few examples of what's happening, cases that came to my office just yesterday.

There was the heart attack victim who was treated initially in the walk-in centre that Queensway hospital has become and who was transferred to Markham-Stouffville because there was no bed for him in a Toronto hospital.

There was the 26-year-old Ontario woman who was seriously injured while on a visit to Thailand three weeks ago who was waiting to be brought home until a bed could be found for her.

There's a 54-year-old woman in my home riding who is physically disabled and has now been diagnosed with cancer. She cannot get out of hospital because she cannot manage with only two hours of home care.

I received a letter from a recent graduate of the University of Toronto, a specialist in cancer care, who will leave the province if there's no clear commitment to the provision of cancer treatment in this province.

There was another letter from a man who waited so long in an emergency room that he checked himself out

and decided to take a chance that his chest pains would go away, and there were the paramedics here with stories of the critical care they're providing while they wait in hospital driveways.

That was just yesterday, and it is just a sample. It is truly shoddy political posturing to deny the reality of what's happening to people who need care.

ACCESS TO PROFESSIONS AND TRADES

Ms Marilyn Mushinski (Scarborough Centre): I'm proud to stand before the House today to announce the tabling of my resolution, a resolution to streamline government bureaucracy, to strip away the red tape that stunts our province's growth and to open doors to more opportunities for the people of Ontario.

The Mike Harris team has already taken the steps to improve access to trades and professions. We've attracted the world's best and brightest to Ontario by keeping our economy strong. We have committed to helping skilled newcomers enter our labour force quickly and easily. We have improved access to education and training opportunities for immigrants and citizens.

I can go on for hours about the many initiatives our team had the common sense to introduce; however, we must never stop looking forward. We would hurt our communities and ourselves if we remained satisfied with the status quo. That is why I have chosen to table a resolution to encourage our team to look at the issue of access to trades once more.

My resolution, if passed, would appoint a special adviser to look at the big picture to find new and innovative ways to cut through red tape and make access to trades simpler for all skilled immigrants. We need the continuation to encourage growth in our province and to create the best Ontario in which to live, work and raise a family. I am honoured to be part of a team that has nurtured strong leadership for a strong Ontario.

FREEDOM OF INFORMATION

The Acting Speaker (Mr Bert Johnson): The Chair recognizes the member for Niagara Centre on a point of privilege.

Mr Peter Kormos (Niagara Centre): Thank you kindly. The Speaker will know that I served notice upon the Clerk and Speaker earlier today, and I have a copy, sir, if a page will deliver this to you, of my submissions and the material referred to and relied upon. To the Speaker, please, Dustin.

Pursuant to standing order 21, I rise today on this point of privilege, and I ask you to take very seriously the very important issue I am bringing before you and this Assembly.

The government likes to talk about accountability and responsibility. The terms "accountability" and "responsibility" are really the essence of this point of privilege. I submit to you that the government stands in contempt of

this Legislature by way of political interference with the disclosure afforded under the Freedom of Information and Protection of Privacy Act.

I bring to your attention comments made by Information and Privacy Commissioner Ann Cavoukian when she released her annual report. Ms Cavoukian condemned the government's "contentious issues management process," which she describes as "a clandestine policy of flagging any politically sensitive freedom of information requests such as those from journalists, opposition politicians or special-interest groups." She went on to explain that the number of responses to politically sensitive requests that are delayed beyond the 30-day deadline have doubled since 1999.

I would ask you to refer to section 4.1 of the Freedom of Information and Protection of Privacy Act, which clearly states that the Information and Privacy Commissioner, in this case Ann Cavoukian, is "an officer of the Legislature." As an officer of this Parliament, Ms Cavoukian is mandated to ensure that ministries and government bodies comply with the terms of freedom of information legislation.

1350

Speaker, I submit to you that the government's obstruction—and I put to you that it is an obstruction—of freedom of information requests constitutes contempt of this Legislature. Please let me clarify the term "contempt."

The 22nd edition of Erskine May defines contempt in this way: "Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence." That's at page 108.

Erskine May goes on to outline contempt as it applies to obstructing officers of either House: "It is a contempt to obstruct or molest those employed by or entrusted with the execution ... of their duty." The text continues, "Both Houses will treat as contempts, not only acts directly tending to obstruct their officers in the execution of their duty, but also any conduct which may tend to deter them from doing their duty." That's at page 125.

The Canadian House of Commons Procedure and Practice text by Marleau and Montpetit also speaks to this issue in its reference to a ruling by then-Speaker M^{me} Sauvé in 1980, which said, "While our privileges are defined, contempt of the House has no limits. When new ways are found to interfere with our proceedings, so too will the House, in appropriate cases, be able to find that a contempt of the House has occurred." That reference is at page 67.

The Information and Privacy Commissioner cites a government policy we have never seen but that the government has used countless times to avoid its accountability and responsibility. Speaker, this is a deadly serious allegation. Ms Cavoukian has told us in her own

words how, time and time again, this government has wilfully obstructed her work, and, I put to you, our rights individually and collectively as members of this Legislature. I know exactly what she was talking about, Speaker, because all of us on this side of the House and, I'm sure, many of the journalists in the gallery, have had the same experience.

In a ruling on May 18, 2000, concerning the release of private information in which the Honourable Gary Carr found that a prima facie case of contempt had been made, he referred to section 46 of the Legislative Assembly Act, which defines the jurisdiction of this House to inquire into and punish, as breaches of privilege or contempt, a range of matters, including "assaults upon or interference with an officer of the assembly while in the execution of his or her duty."

Speaker, I submit to you that the government's actions have prejudiced the proceedings of this House. On many occasions, requests under freedom of information that have been made by members of the New Democratic Party caucus have been interfered with, delayed or denied. There is a direct connection between our ability to gain access to information and our ability to perform our duties in this House, in this chamber. I ask you, Speaker: how may we, as members of the opposition, act responsibly and accountably when we are denied access to vital information?

Let me cite a few examples for you, Speaker, just to make my point.

(1) On March 27, 2001, New Democrats submitted a request for all documents related to the expert panel review of specialty geriatric services. We were told we would get a response by April 29, 2001. That date came and went, the deadline was ignored, and 78 days after our request, we're still waiting for our answer.

(2) On April 18, 2001, we submitted a request for all copies of correspondence between Cancer Care Ontario and the Minister of Health and Long-Term Care on the subject of the after-hours treatment clinic at Sunnybrook hospital. We were told we would get a response by May 25, 2001. That date came and went. On seven separate occasions we contacted ministry staff, who have yet to reply in writing as to why the deadline was ignored. Fifty-six days after our request, we're still waiting for our answer.

(3) On February 23, 2001, we submitted a request for a copy of the report submitted to the Ministry of Health and Long-Term Care on an investigation into allegations that Ontario residents with brain injuries were abused while being treated at US hospitals under OHIP. Incredibly, ministry staff informed us that they did not open the correspondence until May 1, 2001, 66 days later. They didn't open the correspondence for 66 days. That's what they told us. We were promised a response by May 31, 2001. The May 31 deadline obviously came and went. We are still waiting for our answer 110 days after our request.

(4) On September 13, 2000, we requested a copy of the report entitled Patient Travel Assistant Programs in

Ontario in the possession of the Ministry of Health and Long-Term Care. We requested this information because we believe the report documents the discrimination against northern cancer patients and the inadequate northern health travel grant set up by the Conservative government. Nine months, 273 days, after this request the New Democrats are still waiting for an answer.

(5) On February 8, 2001, we requested the billing information for the legal representation for the former Minister of Municipal Affairs and Housing, Tony Clement, regarding his libel lawsuit against Dalton McGuinty. We have never been informed whether we can access those records. New Democrats are still waiting for our answer 125 days after our request.

(6) On April 6, 2001, we requested the legal fees charged to Ontario taxpayers above and beyond the half-million dollars Premier Harris has already spent with respect to the civil lawsuit filed by the family of Dudley George, who was killed at Ipperwash Provincial Park in 1995. The 30-day deadline was ignored, and 61 days after our request we were denied access to the information and we have now appealed to the privacy commissioner.

(7) On March 28, 2001, we requested a copy of the final report of the special task force review of sexual abuse of patients by regulated health professionals. We received no response within the required 30 days. We are still waiting for an answer 77 days after our request.

(8) On May 1, 2001, New Democrats requested the cost of the Ministry of Natural Resources' provision of material such as CDs, calendars, posters and brochures to 103 MPPs to celebrate Earth Week and Ontario's Living Legacy. We're still waiting 36 days later.

It is our respectful submission that the government has displayed and conducted itself with contempt time and time again. It is our submission as well that the contempt is aggravated and that the repetition of the conduct confirms the contemptuous nature. It cannot be argued or suggested and the only inference one can draw is that this is specific behaviour by the government that has indeed been determined by the policy Ms Cavoukian speaks of.

As former Speaker Stockwell stated in his January 22, 1997, ruling on government advertising, "It is not enough for yet another Speaker to issue yet another warning or caution." I submit to you, sir, that a mere warning, a toothless warning, will have no impact on this government's contemptuous and arrogant behaviour.

As outlined in Maingot's Parliamentary Privilege in Canada, on page 221, the responsibility of the Speaker is to determine if "the evidence on its face as outlined by the member is sufficiently strong for this House to be asked to debate the matter and to send it to a committee to investigate."

With respect, Speaker, I believe that we have made that case, that we have made the strongest of cases, and I call upon you to find this government in *prima facie* contempt.

The Acting Speaker: I'd like to thank the member for Niagara Centre for his presentation. Because it is similar

to a notice of a point of privilege by the member for Elgin-Middlesex-London, I'd like to take his presentation now, if I could.

Mr Steve Peters (Elgin-Middlesex-London): I rise in accordance with section 21(c) of the standing orders to raise a point of privilege.

It will be my submission that various officials in the government have perpetrated a contempt of this Legislature through a systematic program that is impeding and obstructing members of this House, myself included, and an officer of this House.

What is it to be in contempt of Parliament? Let me quickly cite two references from the 22nd edition of Erskine May.

Quoting from page 108 of Erskine May on contempt, "Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence." It is clear what authority is indicated in that case.

1400

On page 125 of Erskine May, 22nd edition, under the subtitle "Obstructing Officers of Either House," I read: "It is a contempt to obstruct or molest those employed by or entrusted with the execution of the orders of either House while in the execution of their duty."

Further on it is indicated, "Both Houses will treat as contempts, not only acts directly tending to obstruct their officers in the execution of their duty, but also any conduct which may tend to deter them from doing their duty."

In the recently published House of Commons Procedure and Practice, by Marleau and Montpetit, it is similarly affirmed that it is such a contempt of Parliament to stand in the way of an officer of Parliament who's doing his or her duty. Let me cite one reference from Marleau and Montpetit on page 67. This refers to the ruling of M^{me} Sauvé, who was Speaker in 1980, when she wrote, "While our privileges are defined, contempt of the House has no limits."

"When new ways are found to interfere with our proceedings, so too will the House, in appropriate cases, be able to find that a contempt of the House has occurred."

The case of privilege I rise upon stems from the annual report of the Legislature tabled yesterday. It is from the Information and Privacy Commissioner, Dr Ann Cavoukian, an officer of this House. Section 4 of the relevant statute, the Freedom of Information and Protection of Privacy Act, states very clearly that the Information and Privacy Commissioner is "an officer of the Legislature." She is appointed on an address from this Parliament, and she has duties set out for her or any officeholder in that position in the legislation. So my first point is that the Information and Privacy Commissioner is clearly an officer of this Legislature.

The mandate of the commissioner is in part to ensure that government organizations comply with the act. Dr Cavoukian expresses her concerns that there may be a systematic problem, unrelated to the requirements of the act, that is contributing to the relatively low compliance rates within the provincial sector. It clearly states her belief in the existence of a "contentious issues management" process within the government for dealing with the Freedom of Information and Protection of Privacy Act requests. This process identifies those making access requests under the act and singles out the media, interest groups and members of this House for obstruction and delay.

I submit that the government is systematically impeding and obstructing the performance of my functions and duties as a member of this House. Dr Cavoukian cites a significant number of "deemed refusal" appeals and other appeals where access decisions have been delayed, due at least in part to the apparent conflict between the statutory obligations provided by the act and the contentious issues management process. I submit, based on her report as an officer of this House, that I believe I am speaking on behalf of many members of this Legislature.

I will cite just one example of this obstruction from a freedom of information and protection of privacy request filed by me on January 5, 2001, six months ago. On that day I requested documents referred to and displayed by a Ministry of Agriculture biosolids specialist at the South-west Agricultural Conference held at Ridgetown College. They are training manuals for the utilization of biosolids on agricultural lands, printed two years ago, prior to the Walkerton disaster. My request was transferred, just like silos on a farm, from one to another, from the Ministry of Agriculture to the Ministry of the Environment, who denied access to these documents.

I appealed to the Information and Privacy Commissioner on March 12 of this year and sought mediation. During mediation, the government denied access to the documents on the grounds that they were not found to be acceptable, and then found that the grounds of appeal were strong enough to allow a full inquiry into the matter. At the same time, the government argued that the documents did not require to be released since they would be publicly published by April 30, 2001. Well, April 30, 2001, has come and gone. I will note for the Speaker that they have yet to be published to this date.

It is my contention that these delays are due to the political interference cited by the privacy commissioner, particularly the process of the contentious issues management. Further, I contend that the Information and Privacy Commissioner is also being denied and obstructed due to the existence of this contentious issues management process.

The report by the commissioner states, "Our office also encounters conflict with the contentious issues management process even after a substantive decision has been made to a requester and an appeal has been filed. Mediation efforts are often protracted due to the multiple layers of approvals and sign-offs required for contentious

issues requests." Finally, the commissioner mentions in her report that she has not been provided with the details or copies of any policy documents related to this process.

I have provided to you copies of a Ministry of Community and Social Services Web site which describes the contentious issues reports. These are filed when a member of the media, interest group or a member of this House files a request under the Freedom of Information and Protection of Privacy Act. I also provided copies of the Ministry of Transportation Web site, which divides requests into priority levels if one is of a contentious issue.

This is a core issue of access to information and access to truth. As the member of Parliament for Elgin-Middlesex-London, I take very seriously my role to represent the concerns and issues of my constituents. The issue of spreading biosolids on agricultural land and the government actively encouraging this practice is a serious issue of public health and safety. It is of utmost importance that I be able to expeditiously access government information in order to adequately perform my duties as a member of this Legislature and as a representative to my constituents. I believe this demonstrates a systematic program within the government that is impeding and obstructing members of this House and an officer of this House.

I submit to you, Mr Speaker, that that does constitute a prima facie case of contempt. I submit these matters to you for your urgent and serious consideration and trust that you will agree with me that there is a prima facie case of contempt.

This is only one of many outstanding requests that my colleagues and I have at this time. I'll tell you and my colleagues today that I will be expecting, in that event, that this House will take up this important matter on a priority basis.

Hon Janet Ecker (Minister of Education, Government House Leader): I rise to respond to the points from our two opposition parties about this matter. First of all, I think it's fair to say that all members of this House support the legislation, support the guidelines that are there to protect the public, are there to ensure that appropriate information is released in a fashion that is timely, that is fair, that answers to legitimate requests, not only of members of this House but to members of the media, for example.

That's important, because everyone quite recognizes the importance of that process, the importance of that legislation, the importance of the good work she has been doing as commissioner on behalf of the citizens. But I would have to differ very much with—

Interjections.

The Acting Speaker: I want to be able to hear every word that is said.

Government House leader.

Hon Mrs Ecker: Thank you, Mr Speaker. I would have to object very strongly to the honourable member's characterization that somehow or other something has occurred to obstruct, because nothing could be further

from the truth. There is no question that information is being released. It is being released according to guidelines. I appreciate that the commissioner is concerned about the timeline, the timeliness that has taken in some circumstances. It's a concern that the government shares. The government has taken steps to try and make sure that it is not happening continually like this.

For example, in her own report she says, "Commitments to performance standards, including response times in dealing with requests, were, for the first time, included in deputy ministers' performance contracts" last year. "This is an extremely important first step.... Deputy ministers must now account for ministry performance on FOI programs as part of the annual appraisal process with the Secretary of Cabinet." So there is certainly an awareness that timeliness has been a concern and we are taking steps to make sure that that is indeed dealt with.

1410

I would also like to point out that the number of requests has increased substantially. Many more requests are coming in. Some of those requests are exceedingly complex. There is certainly—and one would hope—due diligence exercised in making sure the information that goes out is accurate. I don't think anyone here would want the civil servants who are in charge of this process to shirk on that due diligence. They are indeed doing that and that information is going out according to the guidelines. So there's not a question of obstruction at all. Timeliness, yes; we're taking steps to fix that.

The other thing that I know has concerned people and concerned members here is the question that somehow or other there is some sort of clandestine thing going on here. First of all, there is nothing clandestine about the process that is used to deal with freedom of information requests. The guidelines are very clear. The process is very clear. There is a process by which cabinet office is involved and ministers' offices are involved. That has been very open. It was something the Liberal government set up. It is something the NDP government formalized. It is something this government continues to follow. To use the meaning of the word "clandestine," there is no secret, private or concealed process here whatsoever.

As a matter of fact, the freedom of information commissioner has also said, "We don't object to them being alerted to these matters. We understand that cabinet needs to be notified of what may be coming down the road." We've had other comments that have been made in speeches and remarks from the commissioner's office, because they quite recognize that this process is important. For example, "There is recognition that cabinet office's issues management process is designed to not interfere with the process of FOI requests within the time limits specified in the act, and that the process is designed as a 'heads-up' and not a 'sign off.'"

They also say, "We recognize that the Ontario cabinet office's contentious issues management process was designed so as not to interfere with the administration of access requests within the time limits specified in the act." Again, "It is intended to be a heads-up process not a

sign-off process." I think that's a very important distinction, Mr Speaker, that you need to be aware of.

Also, just by way of background, the issues management process for freedom of information requests was first implemented by the Liberals, who centralized it in the cabinet office in 1988—many years ago. The NDP kept it in a November 1990 memo to all deputy ministers from the secretary of cabinet, which read, "Ministries will also be receiving freedom of information requests of a contentious nature and I would ask that these issues be reported to the current issues unit," the personnel in the current issues unit.

This is a process that has been very open for all three governments. It's a process that has continued to be followed. It is a process that ensures information. There is due diligence. The time is taken in some of those requests to make sure it's accurate, to make sure information is being released so that it is responding to what the law and the guidelines say.

The other thing I should say is that my colleague the Chair of Management Board, David Tsubouchi, has indeed written to all his colleagues about ensuring that that process is timely, to make sure we are doing what we can to speed up where we can. But as I say, there has been a 200% increase in those requests. They are larger; they are more complex. I think due diligence is extremely important.

With due respect, I would say to you, Mr Speaker, that the points made by the opposition, the allegations made by the opposition, are indeed not accurate and not a reflection of what is really going on, and I submit that for your consideration, sir.

The Acting Speaker: Thank you. There has been a very thorough and complete presentation on these points of privilege, and the response. Please be assured that the Chair will take all of those submissions into consideration in reporting back in due course.

PRIVATIZATION OF PUBLIC SERVICES

Mr Pat Hoy (Chatham-Kent Essex): Mr Speaker, I rise on a point of privilege in accordance with section 21(c) of the standing orders to raise a matter that I consider a very serious breach of democratic process and disdain for the members of this Legislature. I ask the House's indulgence to make my case.

My case of privilege involves a sad contempt of the Minister of Transportation for the rules of process under which this great institution should operate. I refer to the minister's precipitous meeting last Saturday with Ministry of Transportation workers to force them to accept a job without any security with some unknown company or lose their jobs. Yet the legislative authority for this action, Bill 65, an act improving customer service for road users, has merely been introduced for first reading. Bill 65 is currently at the second reading stage only in the legislative process. There has been no debate on second reading of this bill at all.

Despite the fact that this bill has not received the proper attention of this Legislature, has not received second or third reading or royal assent, the Minister of Transportation has proceeded to disenfranchise 750 government workers. Though this is apart from the contempt case I wish to cite, I find it shocking that they have been given five days to make a choice about their futures and those of their families, in the complete absence of any information.

But my point is that the Minister of Transportation has done this without legislative authority. I believe that constitutes a case of contempt of this Legislative Assembly. Let me remind the House of Erskine May's definition of "contempt." Let me quote from page 108 of the 22nd edition: "Generally speaking, any act or omission which obstructs or impedes either House of Parliament ... in the discharge of" its "duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even" when "there is no precedent of the offence."

Clearly, considering the status of this bill's progress, Bill 65 is far from being a *fait accompli*. In fact, given the ministry's inability to hit its targets for the RFQ process, and every other target set in connection with the privatizing and outsourcing of driver licensing, I would find it highly doubtful that Bill 65 will even pass before the House recesses for the summer.

Speaker, I would refer to a previous ruling by Speaker Stockwell on January 22, 1997. In that case, the Ministry of Municipal Affairs and Housing had issued a pamphlet dealing with the government's program for reforming municipal government in Metropolitan Toronto. Two members indicated that the advertising occurred in advance of consideration by the House of the legislative measures that would be necessary to implement the reform agenda and in advance of public hearings on these measures. Speaker Stockwell found that a *prima facie* case of contempt had been established. In his ruling he said about the brochures, and I quote:

"In my opinion, they convey the impression that the passage of the requisite legislation was not necessary or was a foregone conclusion, or that the assembly and the Legislature had a *pro forma*, tangential, even inferior role in the legislative and law-making process and, in doing so, they appear to diminish the respect that is due to this House. I say in all candour that a reader of that document could be left with an incorrect impression about how parliamentary democracy works in Ontario, an impression that undermines respect for our parliamentary institutions."

That was Speaker Stockwell's ruling. I think it is a precedent for the precipitous actions taken by the Minister of Transportation with respect to Bill 65.

There is one other precedent I would like to talk about, Speaker, and then I will conclude.

On November 27, 2000, Speaker Carr talked about a point of privilege that was raised concerning the contempt of the Public Appointments Secretariat because it had acted on legislation that had not been passed by

recruiting members for a board. The Speaker referred to past precedents where previous Speakers had ruled that the public service has a responsibility to prepare for the possible passage of legislation. He referred to a ruling by Speaker Edighoffer on December 20, 1989. That Speaker said, and I quote, "It is perfectly valid for the public service to proceed with plans based on a bill that is already in the system in order to be able to act swiftly, once the bill becomes law."

I urge you, Speaker, to recognize the difference between that situation and what we have before us now. It is one thing to allow the government to prepare. According to the Oxford Dictionary, "prepare" means to make oneself ready for something, to be mentally ready or fit. It is an entirely different thing for the minister to force individuals to sign their rights away, to force workers to give up their liberties and privileges irrevocably, before this legislation has passed, before even it has had second or third reading and the debate that the members of this Legislature and the people of this province have a right to expect. Then, after that process is complete, it finally needs royal assent from the Lieutenant-Governor that makes the bill become law.

1420

The implications of this bill will have a serious and lasting impact on road safety in this province. The Minister of Transportation must give this bill full public hearings before it passes. He must listen to the experts who want to warn him that this bill could pose a serious safety threat to the driving public, just as the Minister of the Environment should have listened to the chief medical officer of health on another issue where the government failed to ensure accountability from the private sector to ensure safe drinking water.

It is an abuse of the privilege of the members of this Legislature to allow irrevocable decisions to be made before a bill has completed its legislative cycle and become law, just as it is total folly—and I will say this even more strongly—it's undemocratic for public policy to be pursued in the absence of full public debate.

Hon Janet Ecker (Minister of Education, Government House Leader): Mr Speaker, and through you to the honourable member, as the honourable member should well know, there are specific requirements in the contracts of employees that clearly stipulate that procedures must be followed, the timelines for those procedures when changes are even being contemplated, that information and notice must be given to staff. In this case, with the transfer of the driver examination services, this is indeed the case. The OPSEU agreement requires that staff whose jobs could be—could be—affected by any transfer of functions must be advised, and there's a timeline in place and a process in place.

The minister in this case is doing good government, is following his obligations, his responsibilities. He's following the obligations in the contract. I'm sure the honourable member would be the first one to stand and complain if this government did not follow what the collect-

ive agreement is clearly stipulating. So I do not agree that there is any such evidence for the case that he is making.

The Acting Speaker (Mr Bert Johnson): I thank the two members for their presentation. The Chair will consider those submissions in giving its response in due course.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Acting Speaker (Mr Bert Johnson): I beg to inform the House that today the Clerk received the seventh report of the standing committee on government agencies. Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr John Gerretsen (Kingston and the Islands): I beg leave to present a report on Agricorp from the standing committee on public accounts and move the adoption of its recommendations.

The Acting Speaker (Mr Bert Johnson): Mr Gerretsen has presented the committee's report and moves the adoption of its recommendations. Does the member wish to make a brief statement?

Mr Gerretsen: Since this is the first report issued by the public accounts committee based on the 2000 report of the Provincial Auditor, I would first of all like to thank the Provincial Auditor for his involvement. I'd like to thank our clerk, Tonia Grannum, and Ray McLellan, the research officer, as well as all of the members on the committee from both sides of the House.

This is a unanimous report in which the committee basically makes seven recommendations. If I could just touch on the two highlights, it states that Agricorp should prepare regular reports for the board of directors on its new accountability mechanisms to safeguard the integrity of the investment strategy. It should introduce internal fund administration safeguards to ensure the integrity of its funds. Finally, it should report to the Ministry of Agriculture, Food and Rural Affairs on the planned improvements to corporate governance to be made through the restructuring of the board of directors.

I hope that all of these recommendations will be accepted by the ministry.

With that, I move adjournment of the debate.

The Acting Speaker: Mr Gerretsen moves adjournment of the debate. Is it the pleasure of the House the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

It is carried.

STANDING COMMITTEE ON ESTIMATES

Mr Gerard Kennedy (Parkdale-High Park): Pursuant to standing order 59(a) and 60(a), I beg leave to present a report from the standing committee on estimates, on the estimates selected and not selected for consideration by the standing committee.

Clerk at the Table (Mr Todd Decker): Mr Kennedy, from the standing committee on estimates, presents the committee's report as follows:

Pursuant to standing order 59, your committee has selected the estimates—

Interjections: Dispense.

The Acting Speaker (Mr Bert Johnson): Dispense? We will dispense.

Pursuant to standing order 60(b), the report of the committee is deemed to be received and the estimates of the ministries and offices named therein as not being selected for consideration by the committee are deemed to be concurred in.

INTRODUCTION OF BILLS

569924 ONTARIO LIMITED ACT, 2001

Mr Parsons moved first reading of the following bill:
Bill Pr19, An Act to revive 569924 Ontario Limited.

The Acting Speaker (Mr Bert Johnson): Is it the pleasure of the House that the motion carry? It is carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

NUTRIENT MANAGEMENT ACT, 2001

LOI DE 2001 SUR LA GESTION DES ÉLÉMENTS NUTRITIFS

Mr Coburn moved first reading of the following bill:

Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other Acts /
Projet de loi 81, Loi prévoyant des normes à l'égard de la gestion des matières contenant des éléments nutritifs utilisées sur les biens-fonds, prévoyant la prise de règlements à l'égard des animaux d'élevage et des biens-fonds sur lesquels des éléments nutritifs sont épandus et apportant des modifications connexes à d'autres lois.

The Acting Speaker (Mr Bert Johnson): Is it the pleasure of the House that the motion carry? It is carried.

The minister may make a brief statement. Do you wish to do that now or under ministers' statements?

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): Under ministers' statements, thank you.

MPP COMPENSATION REFORM ACT
(ARM'S LENGTH PROCESS), 2001

LOI DE 2001 PORTANT RÉFORME
DE LA RÉTRIBUTION DES DÉPUTÉS
(PROCESSUS SANS LIEN
DE DÉPENDANCE)

Mrs Ecker, on behalf of Mr Tsubouchi, moved first reading of the following bill:

Bill 82, An Act to amend the Legislative Assembly Act to provide an arm's length process to determine members' compensation / Projet de loi 82, Loi modifiant la Loi sur l'Assemblée législative pour établir un processus sans lien de dépendance permettant de fixer la rétribution des députés.

The Acting Speaker (Mr Bert Johnson): Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1429 to 1434.

The Acting Speaker: All those in favour will now rise one at a time and be recognized by the Clerk.

Ayes

Agostino, Dominic
Amott, Ted
Baird, John R.
Bartolucci, Rick
Beaubien, Marcel
Bountrogianni, Marie
Boyer, Claudette
Bryant, Michael
Caplan, David
Chudleigh, Ted
Clark, Brad
Cleary, John C.
Clement, Tony
Coburn, Brian
Colle, Mike
Crozier, Bruce
Cunningham, Dianne
Curling, Alvin
Di Cocco, Caroline
Duncan, Dwight
Ecker, Janet

Elliott, Brenda
Galt, Doug
Gerretsen, John
Gilchrist, Steve
Gravelle, Michael
Guzzo, Garry J.
Hardeman, Ernie
Hastings, John
Hudak, Tim
Jackson, Cameron
Johns, Helen
Kells, Morley
Klees, Frank
Kwinter, Monte
Lalonde, Jean-Marc
Levac, David
Marland, Margaret
Martiniuk, Gerry
McLeod, Lyn
McMeekin, Ted
Miller, Norm

Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn
Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Parsons, Ernie
Ramsay, David
Ruprecht, Tony
Sampson, Rob
Smitherman, George
Spina, Joseph
Sterling, Norman W.
Stockwell, Chris
Tascona, Joseph N.
Turnbull, David
Wettlaufer, Wayne
Witmer, Elizabeth
Wood, Bob
Young, David

The Acting Speaker: All those opposed?

Nays

Christopherson, David
Churley, Marilyn
Hampton, Howard

Kennedy, Gerard
Kormos, Peter

Marchese, Rosario
Martel, Shelley

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 62; the nays are 7.

The Acting Speaker: I declare the motion carried.

Does the minister have a brief statement?

Hon Janet Ecker (Minister of Education, Government House Leader): The proposed legislation very simply ensures that in future, salaries paid to members of the provincial Parliament will be determined by an impartial third party, Ontario's Integrity Commissioner. At

such intervals as he or she considers appropriate, the commissioner shall review the salary paid to members and determine the appropriate salary.

I believe this proposed legislation will ensure that the process is fair to taxpayers, fair to MPPs and that the process is at arm's length from the politicians.

MOTIONS

COMMITTEE MEMBERSHIP

Hon Janet Ecker (Minister of Education, Government House Leader): I move that the following amendments be made to the membership of the following committees: that Mr Mazzilli replaces Mr Kells on the standing committee on government agencies, that Mr Kells replaces Mr Mazzilli on the standing committee on regulations and private bills and that Mr Wettlaufer and Madam Boyer be added to the standing committee on regulations and private bills.

The Acting Speaker (Mr Bert Johnson): Is it the pleasure of the House that the motion carry? Carried.

1440

**STATEMENTS BY THE MINISTRY
AND RESPONSES**

NUTRIENT MANAGEMENT

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): A few moments ago, I introduced for first reading the proposed nutrient management legislation. I am pleased now to be able to elaborate on its goals. I'm also privileged to speak on behalf of my colleague the Minister of the Environment. Just as we've worked in partnership to develop this proposed legislation, we'll continue to work together to ensure that its implementation strengthens Ontario's position as a leader in environmental stewardship.

If passed, the proposed legislation would further the government of Ontario's Operation Clean Water. It would put in place preventive measures to address the effects of agricultural practices, especially as they relate to land-applied materials containing nutrients, and protect the environment and quality of life for all residents in this great province. And it would provide the clear and consistent rules so necessary for farmers, like all businesses, to make sound investment decisions.

The bill we have introduced today follows logically from the consultations conducted in the winter and summer of 2000 by the Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment. During those public consultations, we heard from farmers, rural residents, municipalities and environmental groups. They all told us the same thing: there is a province-wide

need for clear, consistent and enforceable standards and regulations for all nutrients to ensure that our agri-food industry and our rural communities continue to thrive together and that our natural resources of land and water are protected.

Most Ontario farmers are good environmental stewards and good neighbours. As with any business, though, there are risks, and they need to be properly managed. Nutrients are needed to grow our crops. Manure, biosolids and other materials have beneficial properties but also hazards such as pathogens, and so these materials must be well managed.

The proposed legislation, in fact, builds upon the best management practices that the vast majority of Ontario's producers have worked to develop and have already adopted voluntarily. Farming practices have changed dramatically in recent years as economics demand and technology encourage ever-enlarging farming operations. Rural Ontario has changed just as dramatically. For the first time in decades, more people are moving out of the cities and into the countryside, and they are increasingly interested in, and concerned about, their environment and seeing it as a key element in the quality of all our lives.

What we are now proposing will address those concerns, safeguard our environment and ensure continued prosperity for our agri-food sector, a key contributor to our economy. This proposed legislation will make the voluntary best practices followed by the majority of farmers mandatory practices for all farmers in Ontario. We intend to achieve this goal through a phased approach. All farms would ultimately be governed by new regulated farm practice standards. First, new standards would immediately be established for the new construction or expansion of large livestock operations. These standards would be applied to existing larger animal operations within three years, and appropriate standards for all other farms would be phased in over five years.

Specifically, we propose to take the following steps. We propose to develop, in partnership with our stakeholders and the Ministry of the Environment, strong new standards for all land-applied materials containing nutrients relating to agriculture, including livestock manure, commercial fertilizer, municipal biosolids, septage, industrial pulp and paper sludge. We propose to make nutrient management plans mandatory. We propose to build on the work already done by some municipalities and establish a registry system that keeps a record of applications of materials containing nutrients, focusing initially on biosolids and manure. We propose to require the certification of commercial applicators applying those materials. We propose to ban the land application of untreated septage over a five-year period.

We propose to establish and deliver the required education, training and certification programs. Because we understand that enforcement is the key to the success of this initiative, we propose to put in place highly trained provincial inspectors who are knowledgeable in agriculture and the environment to enforce the new stan-

dards. Finally, because we realize that this is an extremely complex issue, we will ensure our many stakeholders have an opportunity to comment on this framework. We know just how important it is to every one of us who lives in this great province to make sure we do this right.

The Ministry of Agriculture, Food and Rural Affairs will continue to focus on research that will move agricultural industry ever closer to our goals. We will make continuous improvement a priority: to study and understand the challenging new technologies and new approaches to nutrient management; to continue to update our standards and our expertise; and to transfer this knowledge to the farmers of this province.

I am confident that if the proposed legislation is approved and we are allowed to follow this course of action, we will enhance the reputation and the competitiveness of our agri-food industry. We will protect the quality of life we all value so highly and Ontario will continue to be a leader in environmental stewardship.

Mr Steve Peters (Elgin-Middlesex-London): This legislation has been a long time in coming. I looked over and saw the former Minister of Agriculture with a smile on his face and I think this is some vindication for former Minister Hardeman and his efforts in dealing with this legislation. People across this province—farmers, municipalities and the public at large—have been calling for this legislation for a long time. It was promised by the former minister last fall and finally we see that legislation introduced today.

It is legislation that is of extreme importance to the farmers, the municipalities and the public of this province. It's imperative that this bill go to public hearings in rural communities across this province, because this is a piece of legislation that isn't made-in-Toronto legislation. This is a piece of legislation that is going to affect rural Ontario, and having hearings here at Queen's Park is not the way to do it. You need to go province-wide with this.

The minister has committed to consult on the regulations, and I think it's very important. The bill is one thing, but the details, as we always know, are in the regulations. It's imperative that as the consultations begin on this legislation, we also see those regulations in front of us. We need to see an overall package so that the MPPs and the entire public have an opportunity to provide full input into this most vital and important piece of legislation.

It's good to see representatives here from a wide cross-section of agricultural commodity groups from across this province, but one thing that's glaringly absent from this bill is the question of money. We know that as this legislation is implemented and the regulations are rolled out, there are going to have to be capital upgrades made to farming operations across this province. We know these initiatives are going to benefit everybody in this province, yet glaringly absent is the issue of money. I hope that is something that is clearly addressed during the public consultations. It can't all be on the backs of the farmers. Farmers, we know, are facing extremely diffi-

cult times with low commodity prices and are facing unprecedented subsidies from other governments, be it the United States or Europe. We need to do everything we can, and I hope the minister will work with the agricultural community as this legislation unfolds.

There are other aspects in the legislation that need to be addressed. The backgrounder talks about fees. We need to hear very clearly what these fees are all about. Some of the timelines, I have to admit, may be of some concern. I think, as an example, that dealing with untreated septage within a five-year period is too long. I think we need to address that issue immediately, as one only needs to read the media from across this province to see that this issue of untreated septage and biosolids is something that is in the newspapers every day.

I certainly hope the Minister of Agriculture has resources made available to him, along with the Minister of the Environment, because we know that both ministries have been drastically cut by this government over the years. For this legislation to be properly implemented is going to require the resources, and good resources, of both of those ministries. I hope that with the Premier and the Minister of Finance here they'll recognize the importance of this legislation in ensuring those government ministries have the dollars to back up this legislation.

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You're going to have to ensure that there's proper education in place for the staff so that they're educated in how to inspect, how to enforce and how to monitor. It's going to be imperative that we know who is going to do this and where the staff dollars are going to come from. We definitely need to know that.

This legislation, though, we know is an investment in the health and safety of all Ontarians. I repeat, glaringly absent from this legislation is the money needed for necessary improvements for the agricultural operations that will, in effect, protect all citizens of this province. In no way, shape or form will the Liberal Party tolerate the entire cost to be borne on the backs of our Ontario farmers.

Mr James J. Bradley (St Catharines): I would like to add to the remarks of our critic for agriculture my concerns as well that there be full hearings on this piece of legislation so that we're aware of all of its implications. It's taken this government six years to respond to the Provincial Auditor and to the two Environment Commissioners to come forward with legislation of this kind. It only happened after the tragedy at Walkerton that we have any movement on the part of this government toward this kind of legislation, toward looking after these problems.

You have to recognize that farmers themselves are the people who feel the most direct impact of this particular problem. When there's an environmental problem in the rural community, farmers themselves feel the impact of that. They have the greatest interest in seeing that this matter is addressed appropriately.

We want to see necessary staff at the Ministry of the Environment and the Ministry of Agriculture, Food and

Rural Affairs. We want to ensure that the farmers themselves are given financial assistance to be able to implement this successfully.

Mr Howard Hampton (Kenora-Rainy River): I believe that people across Ontario need to know what's in this bill and what's not in it. But to get a full appreciation of this, we have to go back over two years ago, because it was over two years ago that this government was finally dragged into doing some consultations on nutrient management.

A report was prepared a year and a half ago, and that report was ready before the tragedy unfolded at Walkerton. We asked for that report. They government said, "We can't provide it." They would only provide a summary, which was so general and so vague as not to inform the public about anything. Then, as Walkerton unfolded, the government said that they were going to use the report for legislation, and legislation would be ready for last fall. Then they got engaged in another round of consultation, which produced nothing. Finally we saw a report which was going to throw all of the responsibility on to municipalities. Imagine, Speaker, throwing the regulation of such an important industry on to municipalities, which are already cash-strapped and simply don't have the geographic scope in which to do a decent job.

So that wasn't successful. The government had to go back and do another round of consultations. At long last, finally, they're prepared to come forward with a bill, but people had better read this bill carefully, because once again the devil is in the detail.

First of all, this is only enabling legislation. In fact, in itself it does nothing. It only enables the government at some future time to develop standards for nutrient management. It says that eventually, and I use the government's own words, farms will be governed by new standards. It says that for large livestock operations, new standards won't be in place for three years. For medium-size operations, they won't be in place for five years. What I see here is another strategy by this government to engage in yet more delay on what is a critical problem in rural Ontario.

Then we come to enforcement. The government says that there will be provincial enforcement officers. I don't know where they're going to come from, because they're not in the Ministry of the Environment. The government fired all of those enforcement officers, and we've heard chapter and verse out of the Walkerton inquiry that they're not there to do the job. Are they going to come out of OMAFRA? You can't find them there, because this government has been busy closing OMAFRA offices from one end of the province to the other and downsizing that ministry. So the government's got to be clear: if you're serious about this, tell us where the enforcement potential is going to come from.

Farmers had better be aware, because part of the review and the administration of this will be turned over to private hands. Farmers need to know that means a lot of new user fees, co-payment fees, administrative fees—

taxes by another name. In other words, farmers will be taxed by this government for something this government should have been doing a long time ago.

This needs to happen, there is no doubt about that, but further three- and five-year delays and a government that doesn't have the enforcement strategy and is going to say that all of this will be borne by new costs, new fees, new taxes on farmers, is inadequate.

We know that this issue of nutrient management is causing a great deal of controversy in rural communities. For example, in Huron-Kinloss, residents are in a bitter fight over a proposal to build a barn to house 6,000 hogs. According to the many letters I've received on this issue, more than two million gallons of raw, untreated liquid manure from these hogs will be spread over surrounding land every year. People who live in the area are concerned about the emergence of such large, intensive farms, and they are concerned about the safety of their water source.

I want some assurance from the Ministry of Agriculture that that kind of operation will immediately be brought under regulation, that it won't be three years or five years, that this is going to happen immediately. If it's not going to happen immediately, the controversy out there in rural Ontario is simply going to continue, the threats to the environment, the threats to practices of farming are going to continue and you will have done nothing except delay, delay and delay, and create a bigger problem by so delaying. So give us some assurances that that kind of operation is going to be brought under regulation immediately, not three or five years from now.

BREACH OF SECURITY

Mr Peter Kormos (Niagara Centre): Mr Speaker, on a point of order: We who were in the chamber last night were shocked at the revelation by cabinet minister Cam Jackson that there had been a breach of security, that his cabinet briefing notes had disappeared. He called upon the Sergeant at Arms for assistance. Could this House please be advised of the course of that investigation and whether or not it has been resolved?

The Acting Speaker (Mr Bert Johnson): It may very well be a valid point of order. I don't see the member here and I haven't heard anything.

I just wanted to remind the members that there has been a little flaw in the cooling equipment. That very well could have an influence on the temperament of the Speaker.

VISITORS

Mr Dominic Agostino (Hamilton East): Mr Speaker, on a point of order: There are three friends visiting from Bermuda who are here for the first time. I just want to acknowledge them in the gallery: Susan Clarke, Florence Ottewell and Robert Simpson. Welcome here and welcome to the Legislature.

The Acting Speaker (Mr Bert Johnson): That is not a point of order but we do welcome guests.

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ORAL QUESTIONS

COMMUNITY CARE ACCESS CENTRES

Mr Dalton McGuinty (Leader of the Opposition): My questions are for the Premier. Premier, you advised Ontario seniors earlier in the week that they should be thanking God that they lived in Ontario.

I want to tell you the story of Mr Edward Kenny, who lives in Windsor with his wife. He is 76 years of age. He went into the hospital on May 11 to have two cysts lanced and drained. He was immediately discharged and was given specific instructions from the surgeon. He was told to have the wounds cleaned and repacked twice a day by a nurse. Unfortunately, there was no home care available until the Tuesday following, four days later. So on Saturday, Sunday and Monday, Mr Kenny spent \$25 for each trip into the hospital to have his wounds cleaned and dressed.

Sadly, he was only able to have that done once a day rather than the recommended twice a day. Premier, is this the kind of care that can potentially—

The Acting Speaker (Mr Bert Johnson): Thank you. Premier?

Hon Michael D. Harris (Premier): You know I can't comment on any individual cases, but let me say I thank God every day that I've had the privilege of growing up in what I think is the greatest province in the greatest country on earth. I know my parents do too. The vast majority of seniors and working men and women I talk to also feel we are very privileged. I can tell you that we value very much the contributions seniors have made to this province and to this country. When I look at the record of a 73% increase in home care services, of total funding of \$1.6 billion, and of over \$1 billion in new home care spaces, we try and demonstrate that commitment and that priority over and over again.

Mr McGuinty: It gets worse. Because Mr Kenny didn't get the home care he needed, he developed an infection, and this is what his daughter writes:

"After receiving a desperate phone call from my elderly mother, I drove to Windsor. Once being in their home only 15 minutes, I called an ambulance ... my father ... was gasping for air, could not talk, was unable to drink, and then passed out.... Once into the emergency, it was identified that the infection had progressed ... causing a significant strain on his heart, his oxygen intake to be depressed, his blood pressure to be elevated. He was completely unable to communicate with me.... I want to state very clearly that my mother and I came close to losing him on Thursday evening."

Premier, would you please tell the Kenny family why they should thank you for the work you're doing on their behalf when it comes to meeting their home care needs?

Hon Mr Harris: Whenever anybody suffers in Ontario, of course our sympathies go out to them. The system is not perfect. That's why we're constantly trying to improve the system. For example, a number of questions have been raised about long-term-care facilities. We're funding \$98.50 this year. It was \$84 and frozen by the New Democratic Party when they were in office. This is what we inherited.

Is the system perfect? Of course not. Are we constantly trying to make it better? Of course we are. Are we spending billions of dollars on health and seniors' care? Yes. Do we continually increase it? Yes, far in excess of inflation and we do so without a penny from the Liberal government in Ottawa.

Mr McGuinty: Premier, I want to bring you the case of Mr Kenny, and I'm sure there are countless others just like him. Let me tell you a bit more about him. Mr Kenny is a husband, a father and a grandfather. He's worked hard all his life, played by all the rules, paid his taxes and went to war for Canada. He's had a lung removed and a knee replaced. Today he finds himself in a position where he is frail and elderly. I believe we owe it to Mr Kenny and other seniors, parents and grandparents just like him around the province to make sure we're there for them in their time of need. You may say that all is well, but I'll leave with you the words of the daughter: "There is something very seriously wrong with the health care system in Ontario that elderly people are receiving inferior care, are being neglected, and having their lives put at risk."

Hon Mr Harris: Nobody has ever said the system is perfect. You're talking, I think, about the Windsor area. We've increased funding to home care in Essex from \$30 million to \$39 million. That's about a 25% increase, and yet I think you would argue that it is not yet enough and that even more needs to be done. As you know, we are looking at the efficiency of our CCACs because some seem to be able to provide better and more services for the same dollars than others do. Certainly we owe it our seniors to make sure every dollar is being spent just as efficiently and as effectively as possible. But again, there are individuals who feel the system has not served them as well as it should, and whenever that happens we like to investigate, we like to take a look at that and, of course, that's why we're spending—

The Acting Speaker: Thank you. The Leader of the Opposition, second question.

AIR QUALITY

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Premier. Today the smog is so thick in the city of Toronto that this morning I couldn't see the CN Tower. Today, our emergency rooms are packed with people who cannot breathe. Seniors and children are being warned not to go outside.

During the past six years, you have abdicated your responsibility to protect our environment and to make sure the air is safe for our working families to breathe. You have abandoned public transit in Ontario, forcing a record number of cars into gridlock on our roads, and you have actually increased the amount of pollution coming out of our coal-fired power plants.

You are now Premier of the second-worst polluting jurisdiction in North America. That, Premier, is your legacy when it comes to the environment. What specific responsibility are you willing to accept for the smog that our families are breathing today?

Hon Michael D. Harris (Premier): The Minister of the Environment can answer.

Hon Elizabeth Witmer (Minister of the Environment): I had the pleasure this week to participate with the city of Toronto and the federal government in the second annual smog summit. At that time I was pleased to announce that this province has successfully implemented eight of its key commitments that had been made the year before.

We indicated at that time that we have successfully expanded the Drive Clean program, which deals with car emissions, and also we have been able to reduce emissions by 11.5% since 1998 in the first area, including the GTA. We've also expanded the Drive Clean program into the Peterborough, Windsor and Waterloo areas, and we're looking to further enhance that particular program in order that we can reduce car emissions. I'm also very pleased to say that during that time we have proposed emission caps for the electricity—

The Acting Speaker (Mr Bert Johnson): Supplementary.

Mr McGuinty: You have been part of a government which has been in place in Ontario for six years, and during each of those successive six years we've had to deal with more and more smog. The plans you're talking about now are merely tinkering around the edges. Why did you abandon public transit in the province of Ontario? Why are you telling families that you're not going to invest in some kind of alternative? You leave them no choice but to get in their cars and be stuck in gridlock. Why do you refuse to convert Nanticoke, the single greatest source of pollution in Canada—I'll repeat that—the single greatest source of pollution in Canada. Why have you not converted that to cleaner-burning natural gas? You talk about shutting down our lawn mowers, you talk about shutting down our cars. Why don't you stop tinkering around the edges and do something that's really going to count: invest in public transit and convert Nanticoke?

Hon Mrs Witmer: We have very aggressively taken steps in the last number of years to reduce smog in Ontario. As the member knows full well, 50% of all air pollution in this province comes across the border from the United States. Recently, we did successfully intervene in a court case in the United States to ensure that the American states would move forward and implement

plans that would reduce the amount of pollution that was coming into Ontario.

Furthermore, we have moved beyond the commitments we made at the smog summit, and I'm very pleased to say we have announced plans that would require the Lakeview generating station to cease burning coal by the year 2005. We've also introduced a new policy for boilers and heaters which will reduce NO_x emissions by 29,000 tonnes by 2015.

Mr McGuinty: Madam Minister, you well know this will be burning coal and generating tonnes and tonnes of toxic emissions for four more full years. If you don't understand that it's a matter of our children not being able to go outside and play when the air is bad, if you don't understand that it means our seniors have to stay inside their homes when our air is bad, then you should understand, especially as the former Minister of Health, that this bad air is costing health care over \$1 billion every year. The single greatest cause of hospital admissions for our children is asthma, which is aggravated by bad air. The single greatest cause of absenteeism in our elementary schools today is asthma, aggravated by bad air. That's what's at stake here, Madam Minister.

You continue to tell me that all you're prepared to do is tinker around the edges. Prove to me that you are really committed. Get back into the business of public transit in the province of Ontario and convert Nanticoke into a cleaner-burning natural gas power station.

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Hon Mrs Witmer: I find it interesting that the leader opposite stands up and has only one proposal to deal with the issue of smog.

Our government recognizes, as does the federal government, as do the municipal governments that were at the smog summit on Monday, that it's going to take a very comprehensive plan of action, and it's going to require all three levels of government. That's why our government is moving forward with the Drive Clean program. That's why our government is moving forward to close the burning of coal at Lakeview. That's why our government has moved forward with a comprehensive regulation to ensure that the electricity sector is regulated. That's why our government is going to expand the Drive Clean program, and that's why we recently expanded the smog patrol to 20 officers, in order that we could further reduce the pollution coming from grossly polluting vehicles—

The Acting Speaker: Thank you.

VISITORS

Mr Rick Bartolucci (Sudbury): On a point of order, Mr Speaker: I know you and the members on both sides of the House would want to welcome to the Assembly parents, teachers and students from MacLeod Public School. In particular, I'd like to recognize Reinisa MacLeod—

The Acting Speaker (Mr Bert Johnson): It's not a point of order, but we're very pleased to have them as our guests.

WALKERTON TRAGEDY

Mr Howard Hampton (Kenora-Rainy River): Premier, well before the Walkerton tragedy, you received three warning bells: the Ministry of the Environment 1996 business plan, a letter directly from your Minister of Health and a letter from the medical officer of health for Ontario, all warning you that cuts to the Ministry of the Environment would increase the risk to human health and the environment.

You said here yesterday, and previously, that you didn't ignore those warnings. Well, if you didn't ignore those warnings, Premier, can you tell us exactly what you did in response to those warnings?

Hon Michael D. Harris (Premier): You have an interesting way of rephrasing what I said. I think what I said is a matter of record. It's also a matter of record that it's the same question you asked yesterday. It's also a matter of record that all these issues are before Justice O'Connor, and we'll await his findings.

Mr Hampton: We talked to the counsel at the inquiry, and they tell us that the fact there's an inquiry does not stop you, here, now, where you're accountable to the people of Ontario, from telling us. You say you didn't ignore those warnings. Well, what did you do? Did you do something? Did you talk to your Minister of Health? Did you talk to your Minister of the Environment? If you didn't ignore the warnings, what did you do? What did you do to put in place something that would prevent the loss of life and the illness that happened at Walkerton, Premier? I think you owe the people of Walkerton and the people of Ontario that answer.

Hon Mr Harris: I think our actions are a matter of record, and I do plan to testify before the inquiry. I do owe the people of Walkerton and the people of Ontario that, and that's why I've offered and volunteered to do so.

Mr Hampton: Premier, maybe I can help you practise your answer. Because it's very clear in the 1996 Ministry of the Environment business plan—they were very clear. They said that cuts to the Ministry of the Environment by your government would increase the risk to human health and to protection of the environment. That document came before cabinet, and we know what you did when you got that warning: you ordered those words to be taken out of that business plan, because in the next draft which came out, those words of warning were taken out.

So, Premier, isn't it the case that the draft plan that came before cabinet had those exact words in it, but after it came before cabinet, those words were taken out? Isn't that what you did, Premier, in response to the warnings you got?

Hon Mr Harris: You can make things up, and you can send them off to the commissioner. Listen, I appreciate your advice, and I'm sure he does too. For our

part, Justice O'Connor is undertaking a comprehensive review. I look forward to receiving his recommendations. We have indicated we want to co-operate with all the documentation that we can and with whomever in our government he wishes to talk to. That, of course, is what we're doing.

I welcome your advice. I don't always follow it. If I did, we'd still have record numbers of people dependent upon welfare, we'd still have unemployment in the double-digit range, we'd still have massive deficits, and we wouldn't have any money for the environment or health care or education. So you would understand why I don't always follow your advice.

Mr Hampton: Premier, it's pretty clear what you did. You took those words of warning out and you continued down your road of more tax cuts and more cuts to the Ministry of the Environment. That's what's got us into the tragedy we're in.

COMMUNITY CARE ACCESS CENTRES

Mr Howard Hampton (Kenora-Rainy River): Again to the Premier, I want to ask you about your comments yesterday to the seniors of Ontario. You said they should say, "Thank God we live in Ontario, the best province, with the best services anywhere in world." Well, I think seniors are wondering what world you're in, Premier, because report after report has been printed which points out that seniors don't enjoy the best services.

This is just one of the reports from the Centre for Health Promotion, University of Toronto. It says, "Effects of government policy decisions on Toronto seniors' quality of life," and then it says, "At the provincial level, policy emphasis on program reduction continues, eroding supports for seniors."

Premier, how do you square your answer with the studies out there that show that supports are being eroded, and in this particular year, you are eroding those supports all across the province?

Hon Michael D. Harris (Premier): I think no government has recognized the achievements of our seniors more than our government has. No government has cut taxes more for low-income Ontarians, and many seniors do fall into that category. No government has done more to increase substantially funding for drug programs, for long-term care, for home care.

When you froze the levels of funding for care in our long-term-care facilities, you didn't build one new bed, and you were spending some \$600 million or \$700 million less on home care, I don't know how you have the gall to stand up and ask the question.

Mr Hampton: Again, Premier, you must be on another planet, because I actually attended the openings of some of those new beds.

The issue is this: across Ontario CCACs are put in a position where they're cutting the wages paid to those health care workers. In fact, some of those home care workers are leaving because the pay and other benefits

have been cut. They're cutting services to the very seniors who are out there. They're putting together strategies that they don't like, to cut even more services. Meanwhile, you and your government are going to hand over another \$2.5 billion in bloated tax cuts to your corporate friends.

Tell us, Premier, how is it that you can't afford to help the seniors with the services they need and deserve, but you've got another \$2.5 billion of bloated tax cuts for your corporate friends?

Hon Mr Harris: You know, you can say the figure over and over, but it doesn't make it the fact. If you look at the budget this year, there are some modest reductions in taxes that have been announced, but our biggest tax cuts have been for low-income Ontarians.

Many of our seniors have benefited immensely from getting our tax rates in order, leaving more dollars in their hands, leaving them free to make more spending decisions, leaving them free to make more choices. Quite frankly, those tax reductions we brought in are what has led to the \$15 billion in new revenue, the new people working, the new jobs, the new corporate profits that we tax. That's why we put \$5 billion more into health care, much of it consumed, of course, by our seniors.

Gosh knows, they're entitled to it. They've worked hard all their lives. I have to tell you that I believe this province of Ontario, with all its imperfections—nobody would say it's perfect—

The Acting Speaker (Mr Bert Johnson): Thank you.
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WALKERTON TRAGEDY

Mr James J. Bradley (St Catharines): My question is for the Premier. It's about a subject he doesn't want to talk about, and that is the complicity of his government in the Walkerton tragedy.

Your spin doctors, Mr Premier, have tried to convey the message that there was no smoking gun, that somehow you're off the hook for any blame in Walkerton. Now we have documents submitted to the Walkerton inquiry that show your fingerprints all over that smoking gun. That comes from the testimony of Dr Richard Schabas, the medical officer of health of Ontario, warning that after you closed down the highly regarded Ministry of the Environment labs, you were leaving the people of Ontario vulnerable because there was no notification going to the medical officer of health from anybody, no requirement for that.

Premier, why did you ignore the clear and specific warning of the medical officer of health? Were you so obsessed with getting tax cuts for the richest people in this province that you were prepared to ignore the warning of a highly respected individual such as Dr Schabas, or did you think that his warning, like that of the seniors' home care administrators, was just another shoddy grab for more money?

Hon Michael D. Harris (Premier): I've answered that question, I guess, five or six times now, and if that

question is one that the commission of inquiry that we set up, that we all agreed to, is interested in, I'll be happy to answer there as well.

I appreciate the member's advice, as always. We seek advice from members in this Legislature and from the public all across the province.

Mr Bradley: I remember yesterday, Mr Premier, when you were talking about people advocating on behalf of seniors, that you said those people were engaged in just another shoddy ploy for more money.

The officials of the Ministry of the Environment were operating some outstanding laboratories which tested drinking water in this province for years. They were renowned around the world. You had some of the top experts on the purification of water, on the testing of water, on the evaluation of water. You had some outstanding laboratories under the auspices of the Ontario government through the Ministry of the Environment.

You decided, when you wanted to give a tax cut to the richest people in this province, that you would just cast them aside, that you would close them down and leave the municipalities at the mercy of only private laboratories in this province. When you did it, you did it like a bull in a china shop and did not look after the reporting mechanisms.

Why did you close down those laboratories, which were so successful and which would have avoided the problem that occurred in Walkerton?

Hon Mr Harris: I'm surprised, being one, I think, who advocated we have a public inquiry, that you wish to be judge and jury all at once and draw a conclusion. I think it's very foolish on your part to do so, but nonetheless you've done foolish things before and you'll do foolish things in the future. That's why we have Judge O'Connor to take a look, obviously, at the actions of all governments and of individuals.

With regard to the tax cuts, I think the record clearly shows that the biggest tax cuts went to the lowest-income and poorest people here in the province of Ontario, and that only because of those tax cuts did we have the resources to make up for the Liberal cuts in health care, to put the new funding into the Ministry of the Environment, to put the new funding into education.

I know you oppose tax competitiveness; I know you opposed all of the tax cuts. I know Liberals don't like to see jobs and prosperity—

The Acting Speaker (Mr Bert Johnson): Thank you.

DOCTOR SHORTAGE

Mr Wayne Wettlaufer (Kitchener Centre): I have a question for the Minister of Health. Throughout Ontario right now there's a rather serious problem, and my riding of Kitchener Centre is one of those that is affected. It is impacted very greatly. In Waterloo region and in Guelph, there are currently 60,000 adults and children who don't have physicians due to the shortage of doctors. Some 40,000 of those residents are in Waterloo region alone. I accept that there's a nationwide shortage of medical pro-

fessionals, but cities in Ontario are pulling out their cheque books to give signing bonuses to doctors because of the shortage. Minister, there's a problem.

While we have that problem, Waterloo region has at least 85 foreign-trained doctors and specialists who want to work but are prevented from practising in Ontario because the College of Physicians and Surgeons, the self-regulating body for medical doctors in Ontario, claims that the doctors don't meet our standards. What are we doing to help the situation?

Hon Tony Clement (Minister of Health and Long-Term Care): The honourable member has an excellent point. This is the first time this question period that there is something of value in terms of the political discourse of this province.

I can tell the honourable member that during the April throne speech this government committed to finding a whole series of solutions to address the doctor shortage. Part of it has to be streamlining the process for accepting foreign-trained doctors. It is not only we who see the need for it to be done. The member for Beaches-East York has said on occasion that it's unacceptable for the province to have qualified physicians driving taxicabs while families go without a family physician. I agree with the honourable member. Obviously there's a valuable pool of talented and skilled professionals that can alleviate some of the physician shortages in our communities and provide the specialties necessary in our communities. I think we can take less time to certify those individuals while still upholding the standards of medical care that we want to have in our—

The Acting Speaker (Mr Bert Johnson): Thank you.

Mr Wettlaufer: Minister, I know you see the problem, except that there are only 36 residency positions available for hundreds of foreign-trained doctors languishing on the lengthy waiting list. This was even indicated by Frank Etherington of the Kitchener-Waterloo Record recently. Other provinces, as well as many states in the United States, have taken the step forward and put in force less discriminatory standards for immigrant doctors. In my own riding this problem is acute. Our previous Minister of Health told us that we would see speedy action on this subject, and I'm wondering when we're going to see it and what it's going to consist of.

Interjections.

Hon Mr Clement: The honourable member has obviously hit upon a popular vein, although our government is doing more about it than the rhetoric on the other side, I can tell you that much.

In terms of the people's frustrations, we hear the people's frustrations. We are setting a target date to more than double the capacity for the assessment and training programs. Of course we have to work with some of our independent partners, like the Council of Ontario Faculties of Medicine, the College of Physicians and Surgeons and the existing international medical graduate program. I think you can rest assured that we'll soon be announcing an outline of this, of the government's not just rhetoric but action plan to streamline the process. I

encourage the honourable member, who asked the question in good faith, to stay tuned.

COMMUNITY CARE ACCESS CENTRES

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): My question is to the Minister of Health and it concerns this truly tragic set of circumstances that the frail elderly are facing in Ontario today. I have in my hand a report from the Champlain District Health Council, a health council serving Ottawa and the Ottawa Valley, a report that was tabled earlier this week that makes plain that the challenges and pressures facing community care action centres in my part of eastern Ontario are real and serious and building. On behalf of hundreds of frail elderly I represent in the largest county in Ontario, many of whose families are watching this exchange right now, these frail elderly want to know, what are you going to do to address the kinds of pressures this Champlain health council has so clearly identified as out there requiring an immediate response?

Hon Tony Clement (Minister of Health and Long-Term Care): I thank the honourable member for the question. Indeed we take this challenge very seriously. That is why on all the fronts that affect, in terms of the delivery of health care, our frail and our elderly, this government has been there for those patients, for those citizens here in Ontario. Funding for community health services has increased by 58%. Funding for home care has increased by 72%. I know that in the honourable member's catchment area, in Renfrew county the home care has increased substantially over the last few years. That is a trend I'm sure will continue.

When it comes to the question of long-term care, I believe the Premier made the remark that we are the ones who increased the per diem rates, the payments per resident. We were the first to do so after a freeze of many years. So we understand the problems and we think there happens—

The Acting Speaker (Mr Bert Johnson): Thank you.
1530

Mr Conway: Listen, there is no question they have been increased somewhat, but as this just-released health council report indicates, the single biggest issue facing people like the community care access centre in Renfrew county and elsewhere is that the downloading by your government of hundreds, if not thousands, of acute care hospital patients into the community and home care sector has, more than anything else, driven up the need well beyond the resources you're providing. So I say to you, Minister, on behalf of scores of seriously worried, frail elderly from Arnprior to Deux-Rivières and from Pembroke to Palmer Rapids, in a community where, as we speak, the CCAC is planning to cut over \$2.5 million worth of program spending—12% to 13% of their program budget for these frail elderly—what are you going to do for these vulnerable and terrified frail elderly?

Hon Mr Clement: I believe that this Legislature, this government, need not answer to anyone in terms of the commitment we have made. This government has supplied more per capita per senior than in any other province in this Dominion, some \$128 per capita. I can tell you those are 100% provincial dollars. I know the honourable member asked this question in good faith, but his colleagues, if they wish to be helpful in this area—zero dollars from the federal government when it comes to long-term care, zero dollars from the federal government when it comes to community care, zero dollars from the federal government when it comes to home care—instead of sitting in your place and complaining, do something useful and get your federal brethren to live up to the expectations of the people of Ontario.

Interjections.

The Acting Speaker: Order.

Interjections.

The Acting Speaker: It's very unparliamentary to shout and so on. Actually, you've asked me to enforce the rules that do that, so I don't think it will come as any surprise that I'm quite willing to do that.

The government's second question.

Interjection.

The Acting Speaker: The member for Hamilton East, again.

AIR QUALITY

Ms Marilyn Mushinski (Scarborough Centre): My question is for the Minister of the Environment. We know that summer is approaching and we look forward to warm and sunny days. Certainly that is obvious in this place today. Unfortunately, it's also a time when smog increases, which affects the health of many of my constituents in my riding of Scarborough Centre. I wonder if you could tell us what initiatives you are taking to reduce smog and improve the quality of air, especially in the city of Toronto.

Hon Elizabeth Witmer (Minister of the Environment): Yes, certainly smog is an issue of concern for all of us, and that's why the government introduced the anti-smog action plan and is working in a very comprehensive manner with industry, environmental groups, health groups and other government groups, in order that we can take actions to further reduce the amount of smog. I'm pleased to say that in recent years we have been able to reduce the level of smog below the 1990 levels.

Interjections.

The Acting Speaker (Mr Bert Johnson): I'll not warn the member for St Catharines again.

Hon Mrs Witmer: When smog occurs early, as it has this year, it's important to remember that much of the smog is coming from the United States.

Interjections.

The Acting Speaker: I'll not warn the Minister of Labour again.

Hon Mrs Witmer: In fact, Lois Corbett, the executive director of the Toronto Environmental Alliance, said that

when smog arrives early it means it is created in the United States. So, as I've said before, we're experiencing smog and much of it is coming from the US. However, having said that, we have undertaken the anti-smog action plan. We have moved forward with the Drive Clean program, which I'm pleased to say is the most comprehensive program for vehicles anywhere in North America—

The Acting Speaker: Thank you very much.

Hon Mrs Witmer: —and as a result, we've seen a decrease in car emissions.

The Acting Speaker: Supplementary?

Ms Mushinski: Thank you, Minister, for sharing those particular initiatives with us.

My constituents are particularly interested in knowing what the government specifically does when it issues a smog alert.

Hon Mrs Witmer: What happens, as a result of information that we receive from across the border and also from Environment Canada, is that we issue a smog advisory. The smog advisory tells individuals that within 24 hours there is an 80% chance that there will be some very high smog conditions.

On June 12, for example, the ministry issued a smog advisory for the Windsor-Chatham area, Sarnia-Lambton, Elgin, London-Oxford and Waterloo-Wellington-Dufferin. Also, there are smog watches issued over the next three days. This indicates that there's a 50% chance of high smog conditions. On June 12 this year, the ministry issued a smog watch for most of southwestern Ontario and also a number of communities in the north.

This is available to people on our Web site, and we also issue a press release, and I notice now that many in the media—it simply enables the public to take the necessary actions in order to make sure that smog is not a—

The Acting Speaker: Thank you very much. The third party, third question.

Ms Marilyn Churley (Toronto-Danforth): My question is for the Minister of the Environment. Speaking of smog, we just got another smog alert issued today, and there are 28 regions clear across the province on this list.

Last week your Minister of Energy told me in this House that you curtailed production at the coal-fired plants during smog alerts, but Ontario Power Generation says that they increase dirty coal-fired power production on smog days. Yesterday, when I asked the confused minister who was right, he then said your smog action is to shift production to the cleaner Nanticoke plant. The cleaner Nanticoke plant, Minister? Nanticoke, as a coal plant, is the biggest and dirtiest ship in the fleet.

Minister, I'm asking you as the Minister of the Environment, will you phone Ontario Power Generation today and direct them to cut back production on all of the smog-causing coal plants during smog alerts so that people won't suffer so much?

Hon Mrs Witmer: I'd just like to share a little bit of information. I think it's important to mention to the member opposite that we have been expanding the smog advisory in order to ensure that we can include more and

more regions within the provision of timely information to the public when high smog conditions are expected. I think that is important, because it then allows individuals to take the necessary precautions if there are health conditions. It also allows them to take actions which will reduce smog. For example, it has been suggested that people not idle their cars, that they participate in teleconferencing, that they not use their barbecues, that they not use their lawnmowers and that they not use their other equipment that would produce power.

Ms Churley: Minister, that wasn't the question. Let me put the question to you again. You said earlier to a question that this is a very complex problem and it's going to take time to figure out different resolutions to this. I have a suggestion for you, something that you can do today that would make a difference to the thousands of people who suffer from asthma, some of whom die on bad air days. I am making a concrete suggestion now. Would you answer the question? Would you phone Ontario Power Generation now and tell them, in no uncertain terms, to cut the power production of smog-causing plants on bad air days? It's as simple as that. You can do it now and you can do it today.

1540

Hon Mrs Witmer: In response to the question, in 2000 OPG did announce the very first policy to directly address the issue on days when there is a smog advisory. OPG did commit to dispatch the Lennox generating station, which operates on natural gas or oil, ahead of the coal-fired Lakeview generating station.

Under your government, and perhaps you've forgotten this, electricity exports went as high as 11.2 kilowatts. That's 67% more than OPG has exported under our watch.

Again, we have taken steps. We have announced caps on NO_x emissions from electricity for the very first time. That's a step you could have taken and you chose not to take.

Interjection.

The Acting Speaker: Order. I'm not warning the member for Toronto-Danforth again.

Hon Mrs Witmer: OPG's voluntary commitment will be to reduce to 18,000 tonnes in the year 2007. We've also taken another step that you did not choose to take. We've planned reductions in the SO₂ cap to 157,500 tonnes initially, and—

The Acting Speaker: Thank you.

PARAMEDIC SERVICES

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Labour. I want to ask you about Bill 58 as it impacts paramedics and essential services in this province. It's a bill that you brought into the House that claims to proclaim paramedics as an essential service in the province but does not give them the protection that other groups who are regarded as essential services, such as firefighters and police officers, have in Ontario.

Minister, Dalton McGuinty and the Liberal Party very clearly believe that paramedics are essential to this province, as essential as police officers, firefighters and hospital workers. We believe that they're necessary, that they're part of that health care system that we cannot do without in Ontario. They save lives.

This bill doesn't acknowledge that. It sort of gives them the right to strike, and it doesn't. It sort of gives them collective bargaining, and it doesn't. It talks about replacing workers, as if you can replace an ambulance driver with a truck driver if some of them are out on strike.

Will you today acknowledge that they are as essential as firefighters and police officers and change your legislation to declare that, to make them truly essential services and not second-class citizens, as you are treating them with this bill?

Hon Chris Stockwell (Minister of Labour): If you were so clearly concerned with the fact that they were essential when you were in government, why didn't you declare them essential services? It's kind of strange how you just forgot to do that when you were in government for five years.

There is a difference in the declaration of this bill; you're right. Police officers are a stand-alone unit. They negotiate collectively as police officers. Firefighters negotiate collectively as firefighters. If you're a stand-alone unit as a paramedic, then you will in fact go directly to arbitration.

But there are a number of unions out there with paramedics in them that are blended. There are many outside workers who are blended with the paramedics. In that scenario, like the city of Toronto, the city of Sudbury and places like that, what we have said is if you have a meaningful right to strike—in essence, if there are thousands of outside workers who can go out on strike while the paramedics go to work as an essential service—then you don't need to go to arbitration. Whatever they collectively negotiate, if they go on strike, those dollars are given to the paramedics at exactly the same rate that they've collectively negotiated.

Mr Agostino: This government has had six years to fix this problem. We believe that paramedics are an essential service in Ontario. They protect Ontarians. They save lives. They often make a difference between someone getting to the hospital alive or dead. They are essential and should be treated as such.

The minister and the government can get around the changes that he just talked about. We can put legislation in place that would ensure paramedics are treated on a footing with police officers, with nurses and with firefighters. This government likes to talk the talk about how important paramedics are, but it does not deliver essentially to ensure that paramedics in Ontario are treated with the dignity and respect they deserve. This is a second-class arbitration system that this government has put in place.

Again, Minister, will you withdraw this bill and bring in legislation that will treat paramedics on a footing with

police officers and firefighters—unless you believe they're not essential to the health and well-being of Ontario? We do on this side of the House.

Hon Mr Stockwell: What we believe on this side of the House is that you shouldn't take away the collective bargaining process, and if you can maintain the right to strike, that you should leave the right to strike in place.

Let me just say to the member for Hamilton East, this is exactly the way the city of Toronto has managed their ambulance paramedics for the last 30 years. They reached an essential services agreement with the paramedics. The paramedics agreed to that. If there was a strike, the outside workers went on strike; the paramedics went to work; whatever they collectively negotiated was given to the paramedics. That's the deal the paramedics made. They agreed to it, CUPE agreed to it, all the unions agreed to it. All we're saying in legislation is, "Since you've been operating this way for 35 years, let's formalize it, declare them essential and ensure they never go out on strike." That's what the bill does. It's not too complicated, and I'm not really surprised you don't understand it.

IMMIGRANTS' SKILLS

Mr John O'Toole (Durham): My question is to the Minister of Training, Colleges and Universities. As our economy continues to grow and the demand for skilled workers also continues to grow with it, as you know, technology and globalization change the way we work. We will not only face a demand for more skilled workers but more highly skilled workers as well. As you know, many newcomers to Ontario arrive here only to discover that their education and training do not meet our requirements. As a result, many end up making smaller contributions to our economy than would otherwise be possible. It seems to me our government should be taking steps to assist foreign-trained individuals in evaluating their readiness to work in Ontario before they arrive. Minister, what has the government done to make the transition to the Ontario labour market easier for foreign-trained professionals?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): We know in Ontario that more than half of the immigrants to Canada choose Ontario as their home. We welcome them and want to make sure they can do the trades and jobs they've been trained for as fast as possible once they arrive. To do that, it's extremely important that they get good information before they come. Therefore, we have at our immigration offices around the world various trades and requirements to practise various trades and professions clearly written in all languages so that they will understand what the requirements are to begin with. This is something we've accomplished over the last couple of years. We continue to work on it, and this is progress.

Qualified journeypersons from foreign countries can now write the certificate of qualification exam to get

Ontario apprenticeship certification. ACAS is a great success story. Working with all members of this House, we now can assess people to evaluate credentials from over 180 countries against Ontario standards.

Mr O'Toole: Minister, I know how very skilled you are in negotiating and navigating this important achievement. On top of that, it's infectious. The member from Scarborough Centre had a statement on this very subject today, and she has filed a resolution in support of foreign-trained professionals.

Helping skilled immigrants understand Ontario's requirements and providing the opportunity to prepare in advance is certainly common sense. But once we've identified the gaps between Ontario's requirements and the qualifications of a particular individual, the next challenge is to bridge these gaps effectively and as soon as possible. Every individual and foreign jurisdiction is different. Some newcomers may require significant training, while others may simply need to write a professional exam. What is the government doing to help newcomers get the training and supports they need to make full use of their skills and be productive Ontario citizens?

Hon Mrs Cunningham: In the most recent budget we did commit some \$12 million over three years to help foreign-trained individuals employ their skills more quickly. This is on top of the \$3.5 million announced in last year's budget to support bridging programs for foreign-trained nurses—the program we announced not too long ago was the CARE for nurses project at the Yee Hong seniors' centre—and pharmacists. I should take this opportunity to thank the College of Pharmacists for working with us in this regard.

Our Job Connect program: \$9.3 million to help newcomers prepare for the job market through training, information and employment preparation.

I'd like to thank my colleague for the compliment today, but I am not that skilled in getting people to do things for newcomers. My colleagues here in the House have not helped me get the training agreement with the federal government, and I need their help. More newcomers could get trained if we would work with the federal government to get our training agreement worked out in their favour.

1550

Mr Tony Ruprecht (Davenport): On a point of order, Mr Speaker: If this minister had voted for my resolution, which would help these people 100%—

Interjections.

The Acting Speaker (Mr Bert Johnson): Order. I'll not warn the Minister of Universities again.

The Chair recognizes the member for Davenport on a point of order.

Mr Ruprecht: On a point of order, Speaker: I just wanted to repeat myself, that I've said that this minister—

The Acting Speaker: No. There's no point of order to repeat yourself.

OAK RIDGES MORaine

Mr Mike Colle (Eglinton-Lawrence): My question is for the Minister of the Environment. As a minister, you know that you and your government, for months and years, refused to listen to our requests for protection for the Oak Ridges moraine and refused to implement the freeze that we asked for until the very last minute on the eve of the Vaughan-King-Aurora by-election. You saw the light and, with unanimous consent, we had the freeze.

Now, Minister, the problem is that part of the legislation gives the power to cabinet, which you're part of, to exempt developers from the freeze by passing behind-closed-doors regulations. Madam Minister—

Interjection.

The Acting Speaker (Mr Bert Johnson): I'm not warning the Minister of Education again.

Mr Colle: —can you inform this House and the thousands of concerned citizens across the moraine, from Caledon to Cobourg, how many of these requests have come to the cabinet asking for exemptions from the freeze? How many?

Hon Elizabeth Witmer (Minister of the Environment): I'm a little surprised at the member's question, because I know he voted in support of the legislation, but let me tell you that the minister responsible for carriage of this issue is not here and I will certainly take your question under advisement.

Mr Colle: Madam Minister, so far the press is reporting that up to 50 requests have gone to cabinet. OK? What we're asking is if you, as Minister of the Environment, will ensure that this freeze doesn't become a snow job; that in essence every exemption that comes before you and your cabinet will be made public and there will be no exemptions given.

That's what we're asking for, Madam Minister: no exemptions given behind closed doors and that these exemptions be made public so there can be input from conservation authorities and input from the citizens on each and every one of these exemption applications.

Will you ensure that, as Madam Minister of the Environment, these exemptions will not proceed unless they're brought to the public?

Hon Mrs Witmer: Again, I'm very surprised at the member's question. He voted in support of the legislation. He didn't try to change any aspect of the bill. He supported the legislation just the way the legislation was written.

By the way, I think it was the right thing for all of us to do, to support the legislation, because it is about planning for our future. It is about protecting what we all believe needs to be protected, and I believe that we need to do everything we can to ensure the environmental integrity of the Oak Ridges moraine. That's what this government plans to do. We plan to protect the environmental integrity of the moraine.

INVESTIGATION INTO CHILD ABUSE

Mr Garry J. Guzzo (Ottawa West-Nepean): My question is for the Attorney General.

Mr Minister, yesterday you were in the House when I asked your colleague the Solicitor General, with regard to the 67-week delay between the service of documentation on our government and the subsequent service by the committee of Cornwall residents upon the investigating officers, and the indication that that valuable evidence resulted in an additional 40 charges after July 31, 1998.

Mr Minister, I have to tell you, there are some people who feel that that evidence was never intended to reach the officers on the streets of Cornwall. Those are the people who believe that it was never intended that anybody be charged in Cornwall and they refer to the Christmas Eve press release of 1994.

The Acting Speaker (Mr Bert Johnson): Question.

Mr Guzzo: My question, sir, is with regard to your department's role in the service of that documentation which you received on April 8, 1997. Your department didn't forward it to the OPP headquarters, you did not forward it to the officers on the street in Cornwall—

The Acting Speaker: Thank you.

Hon David Young (Attorney General, minister responsible for native affairs): I thank the member for his question. I know that this is a matter of great concern to him and to many across the province, and that is indeed understandable.

In anticipation of his question today, and as I looked into this matter I have made some inquiries, it is my understanding that the materials in question were indeed provided to the OPP. I have confirmed that by conferring with representatives of the Attorney General's department. I've also spoken directly to the municipal representative that he referenced at the conclusion of his question.

Mr Guzzo: Mr Minister, I know they got to the OPP and I know how they got there. I don't understand what your department was doing. I go back to the documentation that I forwarded with my bill in October 1990 and the covering letters that I included therein when I outlined for a full page and a half a discussion I had with the assistant deputy minister of your department, and his admission to me on the telephone that they were sent not to the OPP but to the municipal police chief in a town 900 kilometres from Cornwall.

I'm having difficulty, sir, and there are many people in eastern Ontario who are having difficulty maintaining confidence. I put this question to your assistant deputy minister in that telephone conversation; I got one answer. I put it to Detective Sergeant Hall on November 22, when he visited my office here at Queen's Park; I got another answer. I want to know why it was sent to a municipal police chief.

Hon Mr Young: I have indeed spoken to the municipal police chief in question who the member referenced. That individual has indicated to me that the material he received came from a private citizen and not

from the Attorney General's department. As you are aware, any individual is free to forward any information they believe should be in the hands of police to local police forces.

As to which force they choose to send it to, that is their prerogative. In any event, I'm advised by this municipal police representative that after he received the information, he did forward it on to the OPP for their use in the Project Truth investigation.

COMPETITIVE ELECTRICITY MARKET

Mr Howard Hampton (Kenora-Rainy River): A question to the Acting Premier: there's some confusion arising out of what your government's true intention is with respect to privatizing and deregulating the hydro-electricity market. The Minister of Energy says that it's going to lead to more green energy. The Premier continues to talk about building more nuclear plants to fit into George Bush's strategy, as the new President of the United States, for electricity for the US.

I wonder if the Acting Premier can tell us, what is it going to be, more green energy or more nuclear plants to sell the electricity into the United States?

Hon Elizabeth Witmer (Minister of the Environment): I think our government has made it quite clear that we are interested in ensuring that any new energy certainly is produced in a way that will not have a detrimental impact on our air quality in the province of Ontario. Certainly it is our intention to move forward in a way that will indeed ensure that air quality is protected for all residents in this province.

Mr Hampton: Minister, the chief executive officer of British Energy yesterday in a speech said that they're very encouraged by your government's signals that more nuclear plants are welcome in Ontario. The only thing that would provide a market for new nuclear plants would be the export of power to the United States, which means opening the market, which means in effect creating a continental energy market, which means that Ontario consumers now start paying the much higher American prices.

So which is it, Minister? Are you in fact interested, as the Minister of Energy keeps trying to say, in environmentally responsible green energy proposals—wind and solar—or is it, as the chair of British Energy says, more nuclear plants in Ontario opening up the market to the United States and American prices? Which is the true signal?

Hon Mrs Witmer: I would just reiterate to the member opposite that our government has always indicated that we believe it is important to have a balanced generating portfolio. That would include nuclear energy.

The Acting Speaker (Mr Bert Johnson): It being 4 pm, pursuant to standing order 30(b), I am now required to call orders of the day.

1600

ORDERS OF THE DAY

TIME ALLOCATION

Hon Janet Ecker (Minister of Education, Government House Leader): I move that pursuant to standing order 46, and notwithstanding any other standing order or special order of the House relating to Bill 58, An Act to ensure the provision of essential ambulance services in the event of a strike or lock-out of ambulance workers, when Bill 58 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered referred to the standing committee on justice and social policy; and

That no deferral of the second reading vote pursuant to standing order 28(h) shall be permitted; and

That the standing committee on justice and social policy shall be authorized to meet at Queen's Park on Tuesday, June 19, 2001, for clause-by-clause consideration of the bill, and that in addition to its regularly scheduled meeting time, the committee be authorized to meet in the morning but not during routine proceedings, and that the committee be authorized to meet beyond its normal hour of adjournment, until completion of clause-by-clause consideration; and

That at 4:30 pm on that day those amendments which have not been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 127(a); and

That the committee shall report the bill to the House not later than the first sessional day that reports from committees may be received following the completion of clause-by-clause consideration, and not later than June 20, 2001. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to be reported to and received by the House; and

That upon receiving the report of the standing committee on justice and social policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading; and

When the order for third reading is called, that 90 minutes shall be allotted to the third reading stage of the bill, to be divided equally among all recognized parties, and at the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to

dispose of this stage of the bill without further debate or amendment; and

That the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding "Deferred Votes"; and

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Acting Speaker (Mr David Christopherson): The government House leader has moved government order 28. The floor is now open for debate.

Mr Bruce Crozier (Essex): Most times when I say I am pleased to stand in the House and address my colleagues, I say it's a pleasure, but on these occasions of limiting debate it can't be a pleasure. On this particular bill I'll give an example, in that again the democratic right of each of the members of this House to have an opportunity to speak to legislation has been choked off. I was on the list of speakers, hoping that today or tomorrow or sometime next week I would have the opportunity to speak to this very important bill. Because of the resolution just read by the government House leader, I won't get that opportunity.

I want to emphasize what has been mentioned in this resolution by the House leader, to show just exactly how draconian this choking off of debate can be. This bill will be immediately sent to the justice and social policy committee when it's called for second reading vote. The committee will have one day to do clause by clause, that's all, one day to go through this bill, and it's obvious by the omission that there will be no public hearings.

Once again this government either wants to limit the input from the public of this province and from those who are affected most directly by the legislation, or they don't want to hear from them at all. In this case, the government doesn't want to hear from them at all. What a shame.

Then, when it comes back to the House no later than June 20, which is only seven days away—sometime next week; next Wednesday, I guess—it will get 90 minutes, 30 minutes presumably from each party. I continue to say it's an absolute shame that the constituents of Essex send me to this place to represent them and I don't get an opportunity to speak on their behalf, or in this case, on behalf of the emergency service that serves them.

I'm going to take a few more minutes, Minister, because I'm frustrated at the way these closure motions are continually put to us. I get the impression that we spend more time speaking about closing down debate in this Legislature than we spend speaking about the legislation itself.

I haven't any idea what it is the government's afraid to hear. They're apparently afraid to hear, I can suggest, the opinions of the opposition in this Legislature. They're afraid obviously, because there are no public hearings, to hear from the public. Again, I say that's a shame.

Relatively little is asked of the government, with this piece of legislation, by the Ontario Paramedic Association. They simply want to be put in the essential

category, the same as other health-care workers in the province, firefighters in the province, police services in the province. For giving up that right to strike—this is a very important decision for these paramedics to make—for the benefit and in the best interests of the citizens of Ontario, they merely want to be treated like the other essential services, and that when it comes to arbitration, when it comes to a decision as to what their next contract will look like, they be given a fair shake. That's all they want, and they don't feel they're being given that in this piece of legislation.

I'm going to read a letter into the record, because I've referred to it in part up till now. It's signed by Roberta Scott of the Ontario Paramedic Association. It's dated June 11, just a few days ago.

"I am contacting you on behalf of the Ontario Paramedic Association. Bill 58, Ambulance Services Collective Bargaining Act, 2001, as it stands now, is of great concern to the paramedics of Ontario. As professionals and patient advocates, we see the need for the government's move to make paramedics an 'essential service.' It will ensure that the public's safety is always protected. However, the bill as it is currently written, falls far short of providing the paramedics of this province with a fair and equitable system of binding arbitration to adequately compensate for taking away our right to strike.

"We would like to request that Bill 58 be sent to a committee and public hearings to afford our profession the opportunity which we have not yet had for some consultation on the issue. We have suggestions for amendments to the bill which would basically include the recognition of our profession with an arbitration system similar to other essential services in this province, such as police, firefighters, nurses and other health care workers.

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"Presently, Bill 58 will clearly put Ontario paramedics at an extreme and unfair disadvantage in the collective bargaining process. We ask, out of respect for our profession and the essential services that we provide, that you take the time to consult with us, listen to our specific amendments and provide a more equitable and balanced bill for paramedics. Our hope is that after being given the ability to add some important input and amendments to Bill 58, it will become a bill that the Ontario Paramedic Association can publicly support and endorse. The bill should become one that formally recognizes and declares paramedics as an essential service, while providing them with an acceptable system of binding arbitration. We only ask that you afford us the same professional recognition and respect that all other essential services in this province have already been given, no more, no less.

"We would appreciate the opportunity to speak with you personally about our concerns and present our proposed amendments."

It goes on to say where they can be reached.

"Thank you very much for your prompt attention to this matter, which is of the utmost importance to our profession.

"Sincerely, Roberta Scott, Ontario Paramedic Association."

They want no more, no less. They are being given less by this government.

Mr Alvin Curling (Scarborough-Rouge River): What a privilege it is to speak on this matter of importance. I'm not as happy as I thought I would be, because I didn't know I'd be confronted with closure and a restriction of expression of the democratic process. There's a consistency with this government that there's no adequate debate, no adequate consultation. This is quite regular and consistent with this government.

I want to spend a few minutes first to speak about that. One of the things we hold most precious in this democratic society is the fact that one is able to have legislation made for the people and by the people, and the only way we can do that is by proper consultation. This government does not, in any way, have any public hearings unless they're forced to. Not even adequate debate within the House is being allowed. Many times, when many of us who are elected by the people want to bring forward the issues and concerns of those individuals, it's been denied. This is one of the most blatant insults in the face of democracy. Often, the people of Scarborough-Rouge River will ask, "When are we getting an opportunity to be heard?" I tell them we tried—Dalton McGuinty and the Liberals here—to indicate to the members on the government side that the people want to be heard, but they are shut out.

I was appalled again today that the government House leader stood up to say there would be a restriction, a closure and limited time in which one would be able to debate this very important piece of legislation, and many pieces of legislation. I think they intend to break the record of how dictatorial they can be in this province.

One is appalled. They use many things—the Common Sense Revolution. I've always said that when they started this revolution, any revolution, a lot of people would die in the process. What they've done is killed democracy to begin with, and they've attacked the poor and the most vulnerable in our society.

Furthermore, when a bill like Bill 58, the Ambulance Services Collective Bargaining Act, comes before us, there are many concerns that are brought forth: the bill is limited, it's inadequate, it's very discriminatory. You hear the wonderful words, "collective bargaining act," and you think that justice and democracy are more or less being done.

The first thing the paramedics are complaining about is, "If we are being considered essential services like the nurses and the firefighters," they would say to themselves, "I hope we are treated equally and not inconsistently." That is to say, "Part of you are essential and the other part are not." It's just basic. They said, "If you're going to treat us like nurses, treat us like nurses. If you're going to treat us like firefighters, do that."

I don't have to emphasize the importance of the paramedics. They have done a tremendous job, and it's very important that they are there at all times and their services are not broken. That's why we call it an essential service. They have saved many lives, and of course we wouldn't like them to go on strike when there are lives to be looked after. So they're saying, "OK, this is the way we'll do it."

The Minister of Labour should be knowledgeable about procedure. As a matter of fact, he was a former Speaker of the House, who would more or less defend the kind of democracy and the parley that happens here in the House, giving each person a right to speak. Sometimes I find him rather funny, but very arrogant in a way. He's restrictive, and he knows it all. That bothers me, because what it does is send an awful signal outside. Those outside say, "It seems to me he knows it all. He doesn't want to listen, and the paramedics who are coming are saying, 'I'd like to sit down with the minister to say to him that the law he has here, the bill he's introducing, is discriminatory.'" But somehow you feel that one is not being listened to by this minister, and he doesn't want anyone to be heard on this issue.

We know that what they're saying here is, "We will determine what is full service. After we have defined what is full service in the paramedic field, we will call that essential, and we can deal otherwise with the rest." There's an opportunity, of course, to have some scabs come in, maybe, to drive the ambulances. I thought we were on the procedures that handle the nurses and the firefighters. But no, they are treated differently.

The basic question they are asking is, "Why?" I heard the minister saying in the House today that they agreed to all this, and it is fair because that's what the paramedics want. The paramedics have said that's not what they want. They want to be treated fairly and equitably, just as the others are. I don't think he hears that; I don't think he wants to hear that. I think he, like his government, the Mike Harris government and all the ministers over there—you can hear the frustration in the voices and the actions of the backbenchers each day. They don't seem to be getting answers. It seems that many of these are falling on the deaf ears of these ministers. They have an order, and they carry out the order without any sort of consultation.

We see the same thing happening with the tax credit for schools. People are saying, "We want to be heard." It is restricted. There are huge omnibus bills. Then, when we come forward to speak, it's restricted.

Therefore, as I said, there are two areas of this that bother me. One aspect is that one is not given the opportunity to speak. All the members represent a wide, large province that has different viewpoints that should be heard, so that when legislation comes forward, it reflects Ontario—not Mike Harris's thoughts or the Minister of Labour's thoughts alone, but the thoughts of the people of Ontario. The only way we can have that is if we have contributions, discussions, debate and amendments in the process. But when you cut it off, you don't

get an opportunity to do that. They are frustrated about that. The people of this province are frustrated.

We know their view is that democracy only allows one day, in this state of rule, and that day is election day. He doesn't have to listen to or do anything else during that time. On that one day at election time, Mike Harris, the Premier, and the Tory government over on that side feel that the people will forget about their arrogance and how they have behaved in many ways to the seniors and the children of this province, that those who are vulnerable and poor in this province have been abused by this government.

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But the people also know—those who are more privileged are finding out that if you abuse the most vulnerable in society, it has a way of creeping up and affecting them. They themselves would say, "This is not the type of government we want. This is not the type of democracy we want in this province, the one-day democracy of today." Maybe on that day, what will happen is that they will not forget. They will say, "You think we forgot," and they will be replaced by people who want this to be the kind of province we have worked and lived in, where our children grew up and were educated, especially to stay the way we were and to be treated fairly.

Collective bargaining means for all, not the discriminatory half-measure situation in the Ambulance Services Collective Bargaining Act today. If the minister would just withdraw this bill or extend it for more hearings, we would have legislation that is rather effective and able to accommodate the things they are saying.

I am extremely disappointed and the people of this province are very, very disappointed at the way the government is going. My colleague from Essex, Mr Crozier, has stated there's a letter from the Ontario paramedics, and we would like you to address the concerns put forward in the letter he read. Even on that, I'd like to hear the minister comment. I'd like to hear the minister decide, just for basic democracy, a simple thing like democracy—our young children here today as pages would say, "What is all that?" That little thing of democracy was fought for by people. Your grandparents died just to have what we have, a free say in our state. Today that is lost because the dictatorial attitude of this government has lost all of that. We want you to know that we shall stand up for this great Ontario and represent all so that legislation reflects all the people, their concerns—not the legislation of Mike Harris but the legislation of the people of Ontario.

I know my colleague is very anxious to express his views later on, in the limited time we have. He wants to express his views, as do many of my colleagues, so I will sit now. I hope we will follow those thoughts and that the minister will rescind the dictatorial attitude he has behaved under in the past.

Ms Shelley Martel (Nickel Belt): It's Wednesday, and the tradition in here, when the House is sitting, has

become that Wednesdays are time allocation days. The government, of course, doesn't disappoint me again today. I believe that last Wednesday I might have been speaking here on a time allocation motion too, and I believe the week before that. True to form, here we are, the middle of the week, and the government is moving yet again to end parliamentary debate, which is supposed to be an important part of this democratic process. The government is moving yet again to use its majority to shut down debate on a bill that has some very serious consequences for people who do incredible work on behalf of the public.

I'm speaking about those paramedics who, Speaker, in your community and mine and every other community across the province, are on the front lines, the first people we see in an emergency, picking our loved ones up, taking them to hospitals—God knows, in Toronto when they take them to the hospital they sit out on the pavement for another 45 minutes trying to find a bed, or they get those people in and then they're lying on a stretcher in a Toronto hospital because of all the cuts this government has made during its hospital restructuring process, which I remind you was a forced one. Those are the people who are going to be dramatically affected.

You know, they've been in the gallery. They're not here today because they've seen the writing on the wall, of course, when the government moved this motion last night and it was printed in the Orders and Notices paper. They certainly have seen the writing on the wall. The government is going to end this. The government has heard enough. The government wasn't really interested in hearing from them in the first place, because the fact of the matter is they weren't even consulted about this bill, but I'll get to that later in my remarks. They have been here because they were hoping that perhaps one day the Minister of Health or maybe the Minister of Labour might have some time to meet with them, but that didn't come about. Of course, why should I be surprised? The government doesn't have much time to meet with workers, especially those in trade unions, do they, Speaker? You're well aware of that because you were our labour critic. How many times did the government move on draconian pieces of labour legislation and have no time to talk to those people who were most dramatically affected?

The government is shutting down this debate. I want to just look at the time allocation motion. It's interesting that in this piece of legislation—again, maybe I shouldn't be surprised—this government is not even allowing for some limited public hearings on this bill. If I read the first part of the time allocation motion, it says:

"That the standing committee on justice and social policy shall be authorized to meet at Queen's Park on Tuesday, June 19, 2001, for clause-by-clause consideration of the bill, and that in addition to its regularly scheduled meeting time, the committee be authorized to meet in the morning but not during routine proceedings, and that the committee be authorized to meet beyond its normal hour of adjournment, until completion of clause-

by-clause consideration," and that at 4:30 on that day, all the amendments that haven't been put will be put.

You'll note, Speaker, in that particular paragraph there is no time for public hearings. I'm going to be leaving a little bit of time for my colleague from Niagara, who is our House leader, because he's going to come back up from committee room 1, where he is right now dealing with Bill 25, which I think was another bill this government time-allocated, probably the one we did last Wednesday. He has just sent me a note to say that he wants me to leave him some time because he wants to come up and talk about, what happened to our request for public hearings? I look through the comments that were made by my colleague from Niagara, and I see here on page 1297, which was the debate on Bill 58, which the government is time-allocating today, that my colleague said the following:

"Committee hearings? ... New Democrats are insisting on committee hearings for Bill 58—really don't know to what end, though." He's probably right about that. "Committee hearings have become more and more meaningless at Queen's Park." Indeed they "have become a sham." I'll just read you a little bit more. It's so good. "Committee hearings: part of their history is designed to include the ... folks out there," but now they're a "pathetic charade of what they" used to be.

Here's another reference he made to our call for public hearings. This is on page 1301 of Hansard, from the debate on Thursday, June 7. Our colleague Mr Kormos said the following:

"That's why government backbenchers should answer these phone calls"—this is with respect to phone calls on this bill—"and that's why government backbenchers should encourage their political bosses to have public hearings—real ones, not like the one around the public funding of private schools that's going to begin tomorrow in St Catharines." Well, we know all about that sham of a process, don't we?

Anyway, I guess the Minister of Labour is going to get up and try to say we never asked for public hearings and we gave up public hearings etc. That's why I'm going to leave some time for our House leader to come up from committee room 1 before the end of the day and give us his version of what happened, because clearly, as you see—I've read it into the record—on at least two occasions—and I had to flip through this quickly—our House leader did ask for public hearings on this bill, and there will be none because the government really is not interested in hearing what the paramedics had to say. If they were, they would have consulted them in the first place before they drafted Bill 58, and we know they didn't consult the paramedics.

Our House leader, during his remarks on this debate last Wednesday and again last Thursday, made it clear that he had talked to OPSEU and asked them if they had been consulted, talked to, even got a fax, maybe a phone call. No, they weren't consulted with respect to Bill 58. He then talked to CUPE, the Canadian Union of Public Employees, about their participation in a discussion

before this bill was introduced. Speaker, you wouldn't be surprised to know that they weren't consulted before the bill was introduced, weren't consulted on any of the provisions and don't agree with the provisions and think the bill should be withdrawn. Quite frankly, then our colleague also talked to members of the Service Employees International Union about whether or not they had been consulted, had any input, had any impact on the minister before this bill was introduced. No surprise: of course they hadn't been consulted either. It's only a few of the very important folks who deliver this incredibly important service in our province, and none of them—I repeat: none of them—was consulted by the Minister of Labour or this government about this bill.

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Of course, they did want some public hearings, and in briefs that have already been read during the course of that debate, they made it clear. We supported that call on their behalf, and I clearly pointed out where our colleague Mr Kormos did that. But here we are, a time allocation motion in front of us. These folks just won't have a chance to be heard, will they?

It's very clear the kind of esteem the government holds these folks in, the same people who do incredibly important work on behalf of the public service, who are the first ones at our house or at our park or our place of work when someone has a heart attack, someone is in a motor vehicle accident, someone is in a snowmobile accident or a motorcycle accident, the first ones at the scene to try to save us and to try to get us into a hospital for longer-term, ongoing emergency care. On a bill that dramatically affects how they operate, how they get paid, what their conditions of work are etc, they're not going to have a say. I regret that the government chose to go in that direction but, again, I shouldn't be surprised, because when it comes to labour legislation, it's kind of more of the same, isn't it?

In any event, not only do we not have the provision, then, for public hearings appearing in the government notice of motion that we are dealing with today, or the government's time allocation motion or the government's closure motion, however you want to frame it, we also know that the debate around the clause-by-clause is going to be pretty limited. That is clearly limited in this debate: "At 4:30 ... that day, those amendments which have not been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any division required shall be deferred until all remaining questions have been put and taken in succession, with one 20-minute waiting period allowed, pursuant to standing order 127(a)."

It's probably worth pointing out that the amendments that will be put from the opposition, I dare say here and now—you can say you heard it here first—won't be accepted by the government anyway, will they? A number of people will spend time trying to deal with the

amendments and the ideas that have come forward by the paramedics who were shut out of the process and are now trying to find their way in through amendments. I can bet, as I stand here today, not a single amendment that might be put forward from the group of individuals directly affected by this bill will be accepted by the government anyway.

I guess we shouldn't be surprised. I haven't been in one of the justice committees recently, but I know that every time my colleague Mr Kormos has put forward an amendment in that committee—when we were dealing with the Rick McDonald bill, for example, the government had no time for what we had to say, even though the amendment we put forward in that case was one that was supported by the Sudbury Regional Police Association. The government didn't want to talk about that. When I think about some of the other justice bills that he's been dealing with in the last session, they weren't accepted either.

The government's going to have a few amendments. They'll all be put by 4:30; that'll be the end of that. I dare say that not a single one put forward by us would be accepted first.

It's a bit of a shame, because you would think that the government that didn't have time to consult with the paramedics who are going to be affected and then didn't have time for public hearings for the paramedics who are going to be affected, if they really held them in any esteem at all, except in low esteem, which I think is really how they hold them, might be at least interested in accepting some amendments that will come from the opposition that clearly would be ones coming from them if they had ever had a chance to be heard. But I suspect that's just not going to be the case and that will be the end of the amendments.

Of course, there's going to be a little bit of debate on third reading. The government has said, "We'll allocate 90 minutes to that and that will be divided equally among all parties, and at the end of that 90-minute period on third reading, the Speaker shall interrupt all the proceedings and dispose of that stage of the bill." "Dispose" is probably the key word there, like they disposed of the public hearings that should have been called around this bill. There will be no further debate and no amendments and that will be that. The bill will be the next piece of business that is called in this House, passed at the next, earliest opportunity.

I regret that the government has gone this way. I say that particularly because there's been no indication from any of the government members who have spoken that in fact there was any consultation, communication or the advice of those people directly affected, hard-working men and women who deliver an important health care service on all of our behalf, ever sought before the government brought forward Bill 58. I would have hoped they would have at least been able to provide them with some opportunity, if not for public hearings, then for some amendments to come forward, and I don't think that's going to be the case either.

What worries me is there's such a dramatic change with respect to the arbitration the government has put in place under this piece of legislation. It's fair to say the paramedics themselves have made a point of it, and I will want to reference their brief. I don't understand why the government wants to so clearly truncate an arbitration process that should apply equally to paramedics as it does to firefighters and police services. If you just take a look at the fact sheets on Bill 58 that I'm sure all members of this House got, I want to reference a few of its sections.

The bill we are dealing with today provides them, or maybe it's better to say puts them under, an arbitration process that is clearly different from other public servants who deal with emergency services. I don't think I've really heard the government say why it thinks it has to be this way, why as to the arbitration process that's in effect for other public servants who deliver an incredibly important public service on our behalf—police officers and firefighters—the government now thinks that another group of public servants who deliver important emergency services—paramedics and paramedic services—should have a different arbitration process that is clearly draconian, that is clearly less than is being applied to other public servants, although I wouldn't want it applied to other public servants either, and that clearly provides some differences between all these groups.

I'm wondering if that has to do with the fact that the government has downloaded ambulance services on to municipalities and has had some behind-closed-doors, quiet chats in the backroom with municipalities to say, "Yes, it's true we've dumped these services on to you, and they are certainly increasing the costs you have to deliver these and many other important public services, so we'll try and give you a bit of a break. We'll put in place in legislation an arbitration process that clearly allows for a much lesser wage enhancement than might be granted to police and firefighters."

I wonder if our getting here today in terms of having a different arbitration process for a group of emergency workers maybe has to do with a deal the government might have cut with municipalities to say, "It's true we dumped these services on you and the costs too. We're going to try and make it up to you by ensuring that we put in place an arbitration process that won't guarantee high awards or will allow arbitrators to look at much lesser awards as comparators, and hopefully give you a break that way so you won't have to pay them as much as you might otherwise if there was a true, fair and just arbitration process in place," which is what we have for other emergency workers.

The issue sheet from the paramedics on this issue reads as follows: "We believe our work as paramedics is essential and that we are essential workers. If our right to strike is to be curtailed, we should have the right to fair interest arbitration, the same as other emergency services, for example, fire and police services." I agree with that; well they should. They provide an important public service, an emergency service. Why are they discrimin-

ated against? Why is a discrepancy made? The paramedics say the following:

"This bill denies us that right. Here is how.

"To get arbitration, Bill 58 requires that ambulance workers go on strike first. But they can't go on strike unless they have bargained an essential services agreement. And when they do go on strike, if they want arbitration, they have to apply to the labour board for it and there is still no guarantee that they will get interest arbitration.

"If the board thinks the strike has dragged on long enough, it has several options: order the parties to continue negotiating a contract; confer with a mediator; order all matters to arbitration; or whatever it thinks is appropriate." That's clear in the bill.

"The bill establishes new, heavy-handed rules for arbitration. These rules are only for ambulance workers. Other emergency service workers are not subject to them," nor would we want them to be.

"If the parties can't agree on an arbitrator within seven days, the Minister of Labour will appoint one.

"The minister is not required to appoint a trained arbitrator or even someone who is remotely acceptable to both parties." That arbitrator "could even be an employer representative.

"The minister's decision in appointing an arbitrator cannot be challenged in court.

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"All"—other—"arbitrators in Ontario are required to consider certain criteria when making an award, for example, ability of the employer to pay. However, arbitrators under Bill 58 will also have to consider criteria not found in any other law. If the case involves a public sector employer, the arbitrator will have to compare its labour costs with those of private operators. If the case concerns a private operator, the arbitrator will have to compare its labour costs with those of other private operators. This steers employers to privatization and the lowest possible wages!"

You have to wonder what kind of discussion might have gone on between the ministry and the Ontario Association of Municipalities around this particular issue.

"This bill applies to municipal-based services, as well as services operated by private services on contract to upper-tier municipalities. It could apply to air ambulance services if these are privatized"—and we know very well that there are two RFPs out on that very issue at this time—"and dispatch services of these are downloaded," that is, if the government decides to download dispatch services, which is the only thing they haven't decided to download yet when it comes to ambulance services.

It's interesting to look at the bill to see the support that exists for what the paramedics have just had to say in their fact sheet. If you look on page 11 of Bill 58, with respect to the minister's power in appointing an arbitrator, it says the following, and I'm quoting subsection (5): "In appointing an arbitrator or replacement arbitrator, the minister may appoint a person who,

"(a) has no previous experience as an arbitrator;

"(b) has not previously been or is not recognized as a person mutually acceptable to both trade unions and employers; or

"(c) is not a member of a class of persons which has been or is recognized as comprising individuals who are mutually acceptable to both trade unions and employers."

You will recall that we dealt with the arbitration process that this government established with respect to the dispute between the Toronto District School Board and CUPE. You will recall that at the point of time that we debated that bill New Democrats drew particular attention to the arbitration process that was set up under that bill. We said very clearly at that time, which was one of many reasons why we opposed that bill, that the arbitration process set out for the Toronto District School Board and CUPE was draconian, provided much less rights than in other arbitration settings and would be the template that the government would follow from there on in with respect to other disputes and other categories of workers.

Here we are, dealing with a section on arbitration that almost mirrors, almost parallels the same draconian legislation that we saw in that bill with respect to the Toronto District School Board and CUPE support staff. Do you know what? It is draconian and it is unfair and it is unjust, and it allows the government to continue to proceed on a path where you can clearly say there's nothing fair, nothing just about the arbitration process any more in this province.

Imagine that the Minister of Labour in a dispute that ends up at arbitration can actually go forward and appoint a person who is not recognized as being acceptable, not only to one party but to both. What kind of a process is that? What kind of justice do you think you're going to get from that kind of process? What kind of fairness can you possibly expect from a process where not just one party but both of the parties who are in dispute with each other are mutually in dispute with the arbitrator that the government wants to appoint as well?

Let me read on. This is subsection (6): "In appointing an arbitrator or a replacement arbitrator, the minister may depart from any past practice concerning the appointment of arbitrators or chairs of arbitration boards, whether established before or after this act comes into force, and may do so without notice or consultation with any employers or trade unions."

Maybe the minister should just be deciding all these arbitrations. He's got his hand so far down in the process and the process has just become so incredibly unfair—well, it didn't "just become," because it really started with the bill with respect to the Toronto District School Board and CUPE that we dealt with.

Selection of the method: "The minister shall select the method of arbitration and shall advise the arbitrator of the selections." Maybe we can have all arbitrations just run out of the Minister of Labour's office from here on in. He gets to select the method of arbitration; he gets to select the arbitrator. Here's an even better one: you can't even

go to court if you've got problems with respect to the proceedings or the arbitrator.

Here's subsection (13): "No application shall be made, taken or heard for judicial review of or to question the appointment of an arbitrator or replacement arbitrator under this section or to review, prohibit or restrain any of the arbitration proceedings."

So you can have a person who is completely incapable of being an arbitrator, or you can have a person who clearly it would be unfair to have as an arbitrator in a dispute, and you can't do anything about it. I raise with you again, Speaker, the issue of the Toronto District School Board, because the arbitrator in that, who was assigned by the ministry in that case, who I don't know from Adam, who may be a very qualified and capable and competent individual, also happened to be someone who had just recently completed doing labour relations work on behalf of the Toronto District School Board, one of the very same parties to the dispute in question.

From the point of view of CUPE, one of the parties in dispute, how can the appointment of an arbitrator who has just finished work on behalf of the party they are in dispute with ever perceive that there will be fairness with respect to the issue at hand? How could the public—any reasonably minded person in the public—think that the union, as one of the parties in dispute, should perceive that to be reasonable, should perceive that they are going to receive a fair hearing and a fair shake during the arbitration process?

It's impossible to expect that people would perceive that they're being justly treated, they're being fairly treated under those circumstances. Not only was that permitted in that particular section of arbitration for that bill, but here we are again, dealing with Bill 58 and the same really draconian, obnoxious, unfair, unjust arbitration process put in place for the paramedics.

The arbitrator shall also "decide the procedure for the arbitration but shall permit the parties to present evidence and make submissions." Well, you see, if the government wasn't allowing the Arbitration Act, 1991, to apply in this case, there would be some very set procedures in place that the arbitrator would have to follow in terms of dealing with the arbitration process, because in that act there are clearly some rules and guidelines and principles that have been established and that have been adhered to that set out what the framework of those procedures are going to be. But you see, under section 7, the government also says that the Arbitration Act, 1991, doesn't apply to arbitration proceedings under the act.

So everything that we've set up that has been codified in law, that has been established as some acceptable and established principles about how we're going to proceed with respect to arbitration, so at least we can give people a sense that they are going to be treated fairly, well, that's all out the window, isn't it, in this bill? Because the government has said very clearly, even those things that we've codified, that have been part of our practice for many, many years when it comes to arbitration, "We'll throw that out the window and we'll have a completely

different set of rules for this class or category of workers."

I say to the government, why? Where is the fairness in that? What's the reason for that? It would be interesting to know what kind of discussions the government had with the Association of Municipalities of Ontario and if this particular issue came up. Maybe that's why it got in here in the first place. Why are you going to treat this class of workers differently than other emergency service workers? Why are you going to set up an arbitration process that can be so completely unfair and unjust with respect to arbitration processes that other workers deal with, live with, work through? What's the rationale for that? Why are you going to discriminate against these workers, and is it so their wages can be driven down?

1650

It's a reasonable question to ask, isn't it, especially when you see that under section 7(1), the arbitrator, in the case of a public sector employer, also has to make a comparison with people who work in the private sector. So the comparison is not just between public sector workers; it's with the private sector. I think that's probably new in this arbitration section as well—different from other arbitration processes we have been working with.

So it's very clear—and I think it's supported in the legislation itself—that the paramedics see they are going to be asked to, in fact be forced to, operate under a much different arbitration process than any other group of people in the public sector, specifically any other group that deals with emergency services, like fire and police. Clearly the minister, under this arbitration section, has enormous powers to intervene in the arbitration process: enormous powers in terms of who is chosen, whether that person has any experience in arbitration at all, whether that person is acceptable to one or both of the parties in the dispute. The minister can select the method of arbitration, and the minister, as well, ensures that his choice can't be challenged, because you can't take this to court. There can be no judicial review of an appointment. So certainly the Minister of Labour has wrapped that up all neat and tidy, hasn't he, in terms of the control he's going to have over the arbitration process. He might as well run the arbitration right out of his ministry, if this is the road we're going down.

Since it's clear that the government intends to proceed—and that has been very clear. They don't want to back off, they don't want to repeal this bill despite the fact they had no consultation with any of the workers affected. Given they've clearly signalled where they're heading—and we disagree with the government heading in that direction, and we oppose this bill—the government could at least do a couple of things. Again, this comes from the brief that's been given to us by the same workers who are going to be affected:

"1. Guarantee Access to Fair Interest Arbitration

"The process should work to ensure good contracts as quickly as possible. When a union applies to the board for a declaration that there is no meaningful right to

strike, the board should only have to decide if that is true. If it is, then the board should order arbitration. There should be no requirement for the board to determine if the strike has lasted long enough. Nor should the board have the option of ordering the parties back to negotiations or to mediation. The parties would" already "have exhausted these options during bargaining and conciliation.

"2. Fair Powers of Appointment

"The legislated powers to appoint an arbitrator for ambulance workers should be the same as for fire or police workers. Where an appointment is needed, the minister should be required to appoint a trained or experienced arbitrator. The nature of the arbitration process requires that arbitrators be impartial and independent. The government should not interfere in that.

"3. Require arbitrators to use the same criteria as for fire, police and health care workers

"Several years ago, the government changed the criteria that arbitrators have to consider when making an award. These require arbitrators to consider factors such as the employer's ability to pay, the extent to which services may have to be reduced if taxation and funding levels are not increased, the economic situation of Ontario and the municipality in which the bargaining unit resides.... There is no need for more criteria that apply" solely and are discriminatory "to ambulance workers."

In closing—because I want to leave some time for my colleague from Niagara Centre to come up from committee—I want to say we oppose this bill. We oppose that the government today is moving to time-allocate it and effectively shut down debate, and we regret that the government won't even have public hearings so that these people can at least have their say.

Mr James J. Bradley (St Catharines): Again, I am compelled to speak on a time allocation motion, which is of great concern to me. In the last two years, if my memory is correct, this is the 24th time allocation motion this government has brought in. For the public at home who don't know what a time allocation motion is—you would well know, being a member of this Legislature, Mr Speaker—that's when the government is choking off or ending debate on a piece of legislation because, obviously, they don't want to hear more arguments that may be compelling, that may have the effect of persuading members of the government of the lack of wisdom of their legislation or indeed of building in the public some form of opposition which would force the government, if not to withdraw its legislation, to at least make some significant changes.

I've heard the Minister of Labour on this previously, when he was speaking on the bill itself, talk about the fact that the government doesn't like to bring in time allocation bills, that the opposition forces them to do so. You would know, Speaker, having been a member of this House for some time now, as the member for Hamilton West, that indeed the real problem is that this House doesn't sit enough. The Legislature this year—this should surprise a lot of people—which sat last on December

20, 2000, did not come back into session until April 19. People saw the federal House on television back in January this year and assumed this House was in session. But for that full period of time, from December 20, 2000, to April 19, 2001, the Ontario Legislature was not in session. It's up to the Premier to decide when it is in session, and he indicated he did not want it in session.

Not only that, but in terms of accountability—because that's what builds the frustration to a point where members take longer perhaps on legislation than it might otherwise take—the frustration was that we did not have an opportunity to direct questions to the Premier of the province until May 1, 2001. If the Premier was in the House on December 20, 2000, to answer questions, the next time we had an opportunity in this House to direct questions to the Premier was May 1, 2001. I think people would expect us to have that opportunity. The Premier has been in the Legislature since March 19, 1981, and it's not as though he wouldn't have experience at answering the questions. We would simply like to have that opportunity from time to time. Our rules prohibit us from calling attention to absences so I wanted to frame it in terms of the opportunity of the opposition to direct those questions.

In regard to the bill dealing with land ambulances in this province, one of the mistakes made in the so-called Who Does What trades between municipal and provincial responsibilities was the downloading of responsibility for land ambulance service to municipalities. It's probably not that onerous in terms of the ability to do it for a place such as Hamilton or the Niagara region, which has a regional government. The problem is that with it goes a lot of financial obligation and responsibility. In fact, it may in your area, Mr Speaker, be the same as ours: there had to be an upgrade of the service. The local municipality invested more money in the service because it was simply needed.

When they were beginning, the provincial government wanted to foist the entire cost on the municipality. Under relentless questioning from the opposition in the House, they capitulated and then said, "Well, we'll give you half." This was back when the Honourable Ernie Eves was the Treasurer. He's the last person who put any brakes on this government in terms of moderation. Some people used to think he was a small-c conservative. I assure them that when Ernie Eves, now private citizen, was part of this government he was, if anything, a moderating influence, particularly on the Premier. Some of the more recent policies we've seen, particularly in education and education finance, particularly the tax credit being given for education, would not have happened with the Honourable Ernie Eves sitting across from us. But with the Honourable James Flaherty, whose viewpoints are several degrees to the right of Ernie Eves, we have that, even if the Minister of Education is unhappy and opposed to it. Some members of the government caucus, who will remain unnamed because I don't want to get them in trouble, have expressed some reservations.

I want to say some of the things I would like to be talking about this afternoon instead of dealing with another time allocation motion. I would have thought that time would have been allocated to talk, for instance, about the dire straits, the problems, your CCAC—that's the community care access centre, the long-term-care agency—is facing in Hamilton and in Niagara in terms of underfunding. We would need \$9.4 million this year in funding from the province, in addition to what the province is prepared to give right now, in order to meet our obligations to our frail elderly people and to others who require that service. I would like to be talking about that this afternoon instead of addressing a time allocation motion.

1700

I know that the Premier in the House, when he was pushed to the wall yesterday on it, suggested it was just another "shoddy ploy" for money on the part of administrators and boards of the community care access centres when they asked for additional funding to meet the obligations that I think most people in their community want them to meet. I was very disappointed when the Premier said that—not surprised, but disappointed—as I was when he said that people shouldn't complain, that they should feel lucky they live in Mike Harris's Ontario. Wouldn't it be nice—I know the chief government whip would agree with this—to be able to discuss that issue instead of yet another time allocation motion this afternoon?

Wouldn't it be nice to be able to delve into the great powers of the Red Tape Commission? The Minister of Labour is in his seat this afternoon. The fact is that the Minister of Labour has to go on bended knee to the Red Tape Commission to get anything through. I didn't know that. I was learning a lot about the Red Tape Commission recently and how much power the Red Tape Commission has. It has as its dual heads Steve Gilchrist, MPP for Scarborough East, and Frank Sheehan, who is an unelected person today. I worry about that because neither of those people would be even as progressive as the whip or the Minister of Labour on many issues, and that is saying something, because these are not exactly wild left-wingers, the Minister of Labour or the chief government whip.

So when you see those two, with all the power they have—by the way, I should tell the Minister of Labour, they have executive assistants and staff as well; I mean, it's a growing operation, this Red Tape Commission. I was surprised to learn, because I may not always agree with the Minister of Labour but he's an elected individual, he's selected by the Premier to be in the cabinet and he's a good friend of the Premier's now that he's in the cabinet, and I worry considerably when I see he has to go on bended knee to the Red Tape Commission.

I would like to be talking about the politicization of the Trillium Foundation. That used to be pretty independent under the Bill Davis regime. I thought they were outside partisan politics and made some good decisions. I now see people being appointed to it who are clearly

partisan and will bring a partisan bent to it. They'll be before our committee and I don't want to prejudice it going before our government agencies committee. Being the Chair, I have to be somewhat neutral in that committee.

I have as well to yield some time to my colleague from Don Valley, and I will, because I know I have to stop with six minutes to go.

I would like to be talking about what's happening outside this building. We have smog plaguing this province—1,900 premature deaths per year as a result of smog—and this government has entirely abandoned public transit, with no money for the operations of public transit, which would take people out of their individual vehicles. There was all kinds of money available to be invested in public transit in years gone by. This government has snatched that away and no longer provides it. The coal-fired plants are going full blast, I must say, in this province.

I would like to be able to talk about the fact that this government now wants to make senior citizens in this province, who have given so much, pay for their own prescription drugs.

There's a myriad of things I'd like to talk about, but I'm unable to do so because of the constraints placed on me. I'll be voting against this motion, by the way.

Hon Chris Stockwell (Minister of Labour): Thanks for giving me this time today. There's a whole raft of issues I'd like to cover. I've got 34 minutes and that's good. That'll be about right.

Let me start by suggesting to the opposition members that the reason we have so many time allocation motions is, to some degree, the responsibility, obviously, of the government. There is, I believe, some level of responsibility to the opposition. I spoke here the other night about why I feel they have some level of responsibility.

I can go through the notes I have here for Ms Martel on all the comments she made as House leader for her government when time allocation motions were introduced and how important and responsible it was for the government to introduce time allocation motions. I can only tell you that the many times they used it were on controversial pieces of legislation. I've got to say to you that in some respect, when we were in opposition to the NDP, we probably had some responsibility for the number of time allocation motions brought in. We in fact used certain parts of the rules to delay passage of government business. We read rivers and streams—I remember that—and we did some other things that delayed the passing of bills.

In 1992, when Ms Martel was part of the caucus that changed the rules, that introduced this methodology of time allocation that we have today, she argued very vociferously, and I think to some degree fairly, that the length of time it was taking to get bills passed in the House was too long and it wasn't reasonable or fair of the opposition to hold up so many bills for so long.

You know what, though, with great respect—

Ms Martel: I think it was with every bill.

Hon Mr Stockwell: It could have been every bill. I'm not arguing if it was or it wasn't every bill. It may well have been every bill. But I guess the response to Ms Martel today is, it's the same show except the roles have been reversed. Instead of us holding up every piece of legislation, the opposition holds up every piece of legislation. So yes, we have to introduce time allocation motions.

Ms Martel: I'm waiting for a good one.

Hon Mr Stockwell: The member says, "I'm waiting for a good one." I suppose the same argument was used on the other side about waiting for a good one from the NDP. It was no big secret that we didn't really agree with much of what you did. We were very vocal about that, campaigned on it etc.

But there has to be a point in time where legislation comes to this House that is less than controversial, or at least you could negotiate some sort of passage of a bill. I look to my friend the Speaker who is in the chair now. I think he's an extremely talented member and a very good public speaker. I'll tell you, when he ramps up there's none better. Once he ramps up and gets going, he can unload. And good on him; that's the job of opposition. But I had a bill that was 50 times more controversial than this one that's before the House today, Bill 69. He was House leader at the time. I sat down with Mr Christopherson and Mr Bartolucci from the Liberals and said, "Look, I understand you guys don't like this bill, and I understand that you're probably never going to like the bill, but can't we somehow reach an agreement on how we will deal with this bill in the House and send it out to committee so we can have committee hearings on it and then bring it back for one day of third reading?"

There was a series of negotiations that took place on Bill 69. I've got to tell you, I think there were a couple of times when Mr Christopherson or Mr Bartolucci could have claimed the deal should be off because the bill took longer to get through than it should, and they didn't. They said, "That's my word. I've given you my word and I will live by my word. I don't like the bill, it's not a good bill, I'm going to speak against it, but you know what? If it means getting good committee time and hearing from deputants around the province about this piece of legislation, I will forgo the act of making you pass a time allocation motion in order to get that." So it's a quid pro quo, give and take.

Ultimately, that's the only way this place can work, is give and take and quid pro quo and negotiating things through the House, unless the government, by design or forced by the opposition, simply moves time allocation on all the bills. I'm afraid that's the stage we're at. It's equally frustrating to me as member of the government, I'm sure sometimes, as it is for the opposition.

1710

I know Ms Martel is a fair person and she'll stand in her place and argue fair arguments. But I've got to tell the member for Nickel Belt that when I first introduced this bill—before you introduce any bill, you would know as a minister of the crown, when you were there, and

certainly the member for St Catharines would know, you offer a briefing to the opposition. The opposition parties came to that briefing. There were staffers from the Liberal Party, and Mr Kormos came from the NDP. Mr Kormos asked me directly, "Are you prepared to have public hearings? Are you prepared to send it to committee?" I said at the time to Mr Kormos, "Sure, I'll send it to committee. I'm prepared to send it to committee," much along the same tack that I took with my friends Mr Christopherson and Mr Bartolucci when we were dealing with Bill 69. I was very upfront with the member, I say to the member for Nickel Belt, very upfront with your House leader. I said, "Sure, let's go out to committee."

"Now," I said, "there's got to be a quid pro quo. If we're going to agree to go out to committee for a few days and have public hearings and get people to make deputations, then don't force us to do a time allocation motion on second reading." The Liberals said, "That's OK by us. If you're going to give us a couple of days' debate on second reading and we get to go out to committee and have deputations, then we won't force you to do time allocation on second reading. We'll have a deal."

In the old days, that's how it always worked—deals. "We'll make a deal to order the business of the House." And in any deal, some people give a little and you have to take a little. What we were getting was a couple of days less on second reading and we were giving a few days of committee time. It was just a quid pro quo. That deal was offered and, as I said, the Liberals said "Sure, not a problem. That's a good deal. We'll get to hear from these people who want to make a deputation." And they've been in here at certain times. I see another one is here today.

But Mr Kormos said, "No, we won't do that." I guess the question is, what was gained by it? What was truly gained by this approach that he took? Did you really want to have public hearings? Did you really want to let the paramedics come in and make deputations? Did you really want to make amendments to this bill, or did you just want to have us move another time allocation motion?

I don't know why you screw your face up like that and look kind of odd, because the fact of the matter remains, we went there offering a deal, a quid pro quo. But the NDP said, "No, we want it all our way. We want unlimited debate on second reading, we want to go out and have public hearings ad nauseam and then we want to have unlimited debate on third reading." So in essence you tie up the House for weeks of debate on a bill that, I've got to tell you, although controversial to the paramedics, is probably less controversial in the scheme of things around Ontario than a lot of other legislation that comes through this House.

What's the end game? Is the end game for you to be able to stand up like a martyr in this place and rue about time allocation? Is that the end game? Or is the end game, "I really want to hear from people and hear what they think and make amendments to the bill, which the

minister has said to me, to my face, he's prepared to do"? I don't understand your end game.

Ms Martel: That's not what you told me.

Hon Mr Stockwell: That's exactly what I told your House leader.

Ms Martel: What about amendments?

Hon Mr Stockwell: Amendments? When I go to committee, yes, we'll go clause-by-clause and we'll accept amendments. Maybe we won't accept any, but we'll let you put them, we'll debate them and we'll vote on them.

But what's your end game? Is the end game simply for us to stand here and go through this time allocation debate on every bill because nobody wants to negotiate anything differently? Because you know what? That's all it's going to be. And it progressively gets worse as the opposition—and I'm not just saying it's the opposition's fault; to some degree it's the government's fault too—becomes more and more obstructionist and does not allow a single bill to go through without time allocation, three days' debate on second reading and all that stuff done, no matter how non-controversial it is, like renaming Sir Wilfred Laurier school.

I don't want to hammer the opposition singularly, because I was in opposition and I remember how difficult it is to have time allocation bills. But sometimes the government has the right to govern and sometimes the government has the right to pass legislation. And sometimes the opposition, including us, which I spoke about earlier, went too far in opposition, to the point that we became obstructionist. And not just obstructionist on selected bills; we're at the stage now where we're obstructionist on every bill. Ultimately, you can't work that way. You can't have a six- or eight-week session and have two bills passed. It can't work that way.

I want to be very clear, because I heard Mr Hampton, Mr Kormos and Ms Martel on the record last night talking about this government and their complete insensitivity and the fact that they don't want to go to committee and they won't allow any time. Let's be clear: we were prepared to go to committee. All we said was, "We're not going to write a blank order to go to committee. We are not going to say, 'Yeah, we'll go to committee and sit for three months.'" That's the only restriction. We said we needed a deal: how long will we go to committee? How long will the debate take? How long do we need to do clause-by-clause? That was turned down by the NDP and, I would say, accepted by the Liberals.

Those time allocations are a little misleading in some instances, when some members stand up and suggest that the government is solely responsible for time allocation motions. Sometimes we are just the people who introduce them. Other times, the reason it is being introduced is because of the effect the opposition has had on the bill and their inability to allow any bill to be passed in this House.

In a lot of ways, you wish you had what the British system has: Mr Usual Channels. I know my friends at the Clerk's table know about Mr Usual Channels. The House

leaders don't even talk in Britain. They have a guy, and on his door it says "Mr Usual Channels." The House leaders go to him, and then he goes and talks to the House leaders individually, never letting them get together, because when they get together they fight too much. So they've had this guy for a few hundred years called "Mr Usual Channels." Maybe that's what we need—or Mrs Usual Channels, or Ms Usual Channels. We'd probably have to change the name because it would be unacceptable to somebody.

Anyway, I want to talk about the bill. Let's talk about the bill itself. I know the paramedics have been in here and they've been very vociferous and vocal in their opposition to this bill. I'm going to talk about a part of the bill that I think is very interesting. It is the unsaid debate. Sometimes you have debates where everybody's on the floor and they all say the same things and everything's right up front. Other times you have debates like this one, where what's not said is the interesting part of the debate.

I'm going to take a bit of a shot at the paramedics. It's not on their professional nature or their professional standing, but it is more of a question. I always thought unions wanted to negotiate collective agreements. Quite candidly, my friend Mr Christopherson and others in the NDP would rail on at length about not getting involved in the collective bargaining process: "Everybody has a right to collective bargain; you shouldn't be ordering people back to work," a lot of that kind of stuff. I've always believed that was the reason for being for unions, to collectively bargain an agreement.

In this situation, it appears the paramedics simply want to go to arbitration. There's nothing about that position that I find particularly understandable on the face of it. Ask the member for St Catharines or Don Valley East. You wonder, why is this issue so important? Why do they just want to go to arbitration? Why can't they work in a meaningful right to strike like they've done in Toronto for 30 years, where the outside workers go on strike, they go to work and whatever they negotiate, they get. But don't you wonder why that isn't OK any more? What is so special about, "We have to go to arbitration?" I suppose we know; you know and I know, and you know the paramedics know. Why do you think they want to go to arbitration? Is there something special about it? Not particularly. Is there something fair about it? Not really. You just pick one person to arbitrate a wage settlement. Is there something interesting about it? No. You go in there with your lawyers and you argue about how much money you should get. So you've got to ask yourself, why is it the paramedics want to go to arbitration so bad, like firefighters and like police?

1720

I'm going to let you in on a big secret here, folks, so listen up. Here it comes. I'm like Penn and Teller, or Teller and Penn: I'm explaining all the magic that goes on behind the curtain. They're hated by all magicians because they do the trick and then they show how they did it. I'm letting you in on a secret here, folks. The

reason the paramedics want to go to arbitration is because arbitrators, generally speaking, give them more money. Hold the phone, stop the presses, page one. That's why they like going to arbitrators.

If you don't believe me, talk to anybody, like the member for St Catharines or anyone who has sat on a local council, and ask them about their police and fire fighters. I think police and firefighters are wonderful people. I think paramedics are wonderful people, and I think they do great work, but ask them how they do when they go to arbitration. You may find words invoked like "slaughtered," "bombed," "killed," "murdered," those words. That is usually preceded by, "We got," which is the municipality. Then you insert the applicable word. Because arbitrators in the past—and I'm not trying to make this too big. This is a load of information to give to these people here and I know you're finding it hard to believe, but arbitrators give better deals than you would get, generally speaking, than if you had gone on strike! That's why paramedics want to go to arbitrators. That's why cops and firefighters are there.

The difference, I suppose, if there's a difference that I can see, and it is a difference, between the paramedics, say, in the city of Toronto and the police officers is that the police officers' union represents police officers. There's no meaningful right to strike. If police officers want to go on strike, they may have a few civilian members who do the typing, filing and so on and they would end up going on strike. Every cop would have to go to work and everyone would agree that's not a meaningful right to strike.

Now, why do firefighters go to arbitration? Because they're a stand-alone bargaining unit too. If firefighters go on strike, they can't go, because they don't have a meaningful right to strike. So where's the difference between paramedics and doctors and firefighters? We know, I think, that paramedics want to get to arbitration. The difference is this: paramedics, of their own choice joined a union that represents 10,000 people. They say it wasn't of their own choice. I certainly didn't put them in that union. I can be accused of a lot of things as Minister of Labour, but one of them wasn't forcing the paramedics into CUPE. I didn't do that to you. You're there. I don't know the exact numbers, but there are hundreds of paramedics who represent a bargaining unit with outside workers of roughly 10,000. They include garbage, water, parks, arenas—all those folks are included in this bargaining unit.

So I said, "Well, considering that for the last 30 years the paramedics, by their own choice, have said, 'We should sign an essential services agreement with the city of Toronto, in that way they can go on strike, we can go to work, and whatever they collectively negotiate we will get paid'"—why don't the paramedics want that? I thought protecting the right to strike was sacrosanct. I thought that was one of the most important things you did with unions. Why don't they want it? My suspicion—it's only a suspicion, I might add—is that they think they'll get a better deal, they think they'll get paid more

and they think they'll get better collective agreements if they go to an arbitrator. I would defy a paramedic to look me in the eye and tell me otherwise. It's true; they do; they probably would.

So that was what we decided to do, because they had a meaningful right to strike.

Now, if you didn't have a meaningful right to strike, and there were areas of the province where they didn't have a meaningful right to strike—there were so many paramedics and there weren't these thousands of workers out there—we said, "In those situations, if you don't have a meaningful right to strike, then you can go to arbitration."

You're going to say, "Well, why can't everyone?" We've said, "Because you've got a meaningful right to strike, and if you don't, then you'll go to arbitration."

That's the great untold truth in this matter: what is so noble, what is so Shangri-La-like to go to arbitration? Like there's some wonderful, noble cause that my friends Kormos and Martel are fighting for here, some noble calling, some union principle that the brothers and sisters stand and fall on. Well, come on. You and I both know what the union principle here is: "We get more money if we go to arbitrators." That's about as capitalistic as it gets. That's all my right-wing friends say: "What way do you want to go?" "I want to go the way that gets me the most money." That's what we're doing here. These aren't lefties; these aren't unions. That's capitalism at its best: "I get to go the way that gets me the most money." It's got nothing to do with unions; it's got nothing to do with principles or the brothers and sisters or union dues or the Rand formula—any principle you want to run up and down. It's got nothing to do with that.

The simple fact is, "We get more money if we go to arbitrators. I want to go to arbitrators." I say, "No, it's better if you have collective agreements. You negotiate them; you have to go on strike and you get paid," and the opposition says I'm being unfair. Why? Who do you represent? I represent the taxpayer, the guy who has to pay the bill when these arbitrators make these kinds of decisions. The taxpayer: that's the only person we haven't talked about in this place, is the poor, beleaguered taxpayer, particularly the poor, beleaguered municipal taxpayer, whose only place to go get money is based on their house. You raise taxes based on how much somebody's house is worth—not whether they have the ability to pay it or not, just based on the value of their home. And you say, "Oh, no, we have to send them off to arbitrators." Why? "Because they give better deals." So who do you represent, the paramedics, CUPE, or do you represent the taxpayer? We're not saying, "Don't pay them." We're not saying they can't go collectively and negotiate a settlement. We're not saying they can't strike; they can, in that broader context. But we have to have in mind, at some point in our lives in this place, that every time you make somebody go to an arbitrator and every time that award is significantly more than they would get in a collective bargaining process, somebody pays. Who pays? The taxpayer pays.

So if you're saying to me I'm being unfair, I'm not. I like paramedics; I think they do good work. And I think they should have the same privileges and rights that they've had in Toronto and other places for the last 30 years. But if you're saying that to make me feel better for paramedics, to make me feel better about myself, I somehow have to create this legislation that gets them to arbitrators because they get better settlements, I'm out. Not in, not going that way, because at the end of the day I don't represent paramedics. I represent the people of the province of Ontario, the taxpayers; and paramedics are some of them, but they're not all of them.

So that's where we're at. That's the nutshell, that's the debate we're having today. Because I can't hear anybody telling me they invoke some noble cause of paramedics as opposed to collective bargaining in a meaningful right-to-strike situation. Because I have to tell you, if this is such a terrible proposal that I have today, how come they've been doing that for the last 30 years? If it's such an awful thing and they're being oppressed, how did they allow themselves to be oppressed for the last 30 years, willingly?

Come on, folks. Wake up and smell the coffee. You have to know what's going on here. And I don't blame them. If I was a paramedic, I'd say I wanted to go to binding arbitration. You're right; you're representing your constituency and your constituency happens to be paramedics. It just happens my constituency is the people of the province of Ontario, and we have conflicting interests. They're conflicting because if I were a paramedic I'd want to go to arbitration, but as a taxpayer I'd prefer you did the approach to collective bargaining: right to strike, get your deal and apply it to the paramedics. That's what I see; there is the conflict.

I guess the rub too is that somehow we've changed the process of arbitration.

1730

I've got to tell you, if there was a party in this province that politicized the Ontario Labour Relations Board more than the NDP, I've never met them. Nor have I ever seen them. They were the most political, when it came to appointments to the Ontario Labour Relations Board, of any party ever, since us and after us—completely partisan. Everyone agrees with that out there, even the lefties I talk to agree they were political about their appointments.

Interjection.

Hon Mr Stockwell: Sorry?

Interjection: We talk to you guys all the time.

Hon Mr Stockwell: I can't hear you.

Mr David Caplan (Don Valley East): That's what the supertribunal is all about.

Hon Mr Stockwell: We may have a chance to debate that too. I'm trying to get your mind around—

Mr Caplan: That's what the supertribunal is all about.

Hon Mr Stockwell: Member for Don Valley East, I'm just trying to get your mind around this one. It's far less complicated and it's taking a lot longer than I expected.

What we have here—

Mr Caplan: It's not that difficult.

Hon Mr Stockwell: It still goes; just put a bull's eye on your head and give me enough target.

What we have here is that exact situation, so I want to be on the record: I think nothing more or less of paramedics than I do of firefighters and police. It just so happens they happen to be in a different situation, one that they did themselves.

I wanted to get on the record that we were never opposed to public meetings, public hearings, committee time. The NDP said no. They weren't prepared to have any conversation of us. They just said no. So those are the two things I wanted to get clear.

On the arbitration process, I did want to get back to that, just briefly. I've got a note here that tells me the exact change that we've made in a nutshell.

Oh, let me do this first. I've got a few minutes. I want to deal with—is it OPSEU that had this on their Web site or CUPE? OPSEU. OPSEU had this on their Web site. OPSEU asserts that, “Bill 58 forces ambulance workers”—I don't think they like to be called ambulance workers, by the way; I think they like to be called paramedics; they've told me that. So you should tell OPSEU to stop calling them ambulance workers. “Bill 58 forces ambulance workers to go on strike before they can apply to the OLRB for a meaningful right-to-strike declaration.” Then I heard Ms Martel, from Nickel Belt, say it again.

Now that is just flat out incorrect. I want to the representative here from the union that's wrong—absolutely wrong. You're an essential service. You can't go on strike, right? So before you actually go on strike, if you want to have a debate about whether or not you have a meaningful right to strike you have to go to the Ontario Labour Relations Board and they have to rule whether or not it's true, whether or not it's reasonable. If they rule, then you go to arbitration if you don't have a meaningful right to strike. If you do, you're an essential service, you stay at work and everyone else goes on strike.

So this is flat out incorrect, what's on the Web site. I want to put that out across the province. Don't go to OPSEU's Web site and read it, because OPSEU is wrong, flat out incorrect, couldn't be more wrong, as wrong as wrong can be. If anyone doesn't understand that, I think I'll get through to my friend from Don Valley East to see if he can explain it to you.

Mr Caplan: I go to the government Web site for all the truth.

Hon Mr Stockwell: There he goes again. Say it louder, so I can hear it.

Mr Caplan: Go to the government Web site for all the truth.

Hon Mr Stockwell: OK, fine.

In her speech Ms Martel, the member for Nickel Belt, says the new criteria are unfair and heavy-handed.

Let me tell you the total change in the arbitration process from what was to what's here. The total change is that one new criterion has been added—one. It would

require arbitrators to consider alternative service delivery in making their awards and reinforces cost comparisons with the private sector.

Well, what's the matter with that? That's reasonable. All that's saying—I'll put it in layman's terms—is this: if an arbitrator is going to make an award he has to take into consideration what they pay in the private sector. So if they pay X in the private sector and they're asking for X plus Y plus, plus, plus, the arbitrator's going to say “Hold on. I'm an arbitrator here. You're asking for a salary increase. I can see my way clear to that argument but I can't see my way clear to paying you twice what they pay in the private sector.” That's all that means.

That's all that means. If they make more, I say to my friend from Nickel Belt, what are you worried about if we tell the arbitrator they've got to compare to the private sector? Because if the private sector makes more that means they're going to get a better increase—and you're opposed to that. I don't understand you. All it says is that you have to compare with the private sector. And if you're telling me the private sector makes more, then why the heck would you be opposed to us comparing? Holy smokes.

This is consistent with the government's commitment to ensuring the delivery of quality and effective services that are affordable to the taxpayers. There are those words again: “affordable to the taxpayers.” Why is that so terrible?

Mr Garry J. Guzzo (Ottawa West-Nepean): It's offensive to them.

Hon Mr Stockwell: Oh, my friend the judge is here. Why is that offensive to them? “Affordable to the taxpayers”—they're opposed to that. Why? I don't know why you think that's such a heavy-handed approach. Here's a news flash: whatever the arbitrator agrees to pay these people, the taxpayers have to do the paying. Remember when the NDP were in office and they used to have all these partners out there? I know my friend from Hamilton will remember this. They had all these partners. You know what “partner” meant to the socialists: “Hey partner, you pay.” That's the state of mind here. You're saying they can't take into consideration whether the municipality has an ability to pay the bill they are going to ordain them to pay. I don't know why anyone would be opposed to that.

Ms Martel: Do they have the ability to pay with your download, Chris?

Hon Mr Stockwell: There wasn't any. We have a fundamental disagreement there.

Interjection.

Hon Mr Stockwell: There wasn't any. And billions of dollars off on the education side that we took back up here. That's all we're saying: just take into consideration—we're not telling you this is ordered. We're just saying, “Please, Mr Arbitrator, when you're making your decision, when you're weighing the paramedics issue with respect to that and you want to know if they need more money and how much, could you just take a brief moment to think about the guy who's paying the bill, the

taxpayer, and whether or not they can afford to pay it?" That's all that says. Apparently this is draconian, heavy-handed legislation because, God forbid, this government says that maybe we should think about the taxpayer once in a while. That's the nut of the bill.

The nut of the bill is that this has taken four days' debate. We would have had committee time—I see my friend's back—except the House leader for the NDP refused to go. I want to say that very clearly on the record to his face. You refused to go, to have committee hearings, you refused to have any negotiations on how this bill would go through the House, because you want to be a dog in the manger and sit here and caterwaul and complain about time allocation. The real truth of the matter, as I said the other night and as I said to my friend from St Catharines, is that besides him and a few of us over here etc there isn't anybody who cares about time allocation. It's inside baseball.

Mr Bradley: Sure they do; I get all kinds of calls.

Hon Mr Stockwell: Oh, sure, he gets all kinds of manufactured calls. He just pushes redial, redial, redial, and he phones himself. That's as much consternation as here is.

So I'm happy with this bill. I think it's a good bill. It strikes a balance. If you don't have a meaningful right to strike, you go to arbitration, and if you do have a meaningful right to strike, you get the benefits of what your collective bargaining people can do when they negotiate a collective agreement. And it remembers the taxpayer, who ultimately has to pay all these bills. It's a balance, a fair balance, a reasonable balance. Just declaring every paramedic an essential service and sending it off to arbitration—I don't understand why people have so much faith in one individual who's picked to arbitrate a collective agreement. Why? We know why: because they generally give better settlements than you could get if you bargained them collectively. That's the difference.

I thank the members across for listening and I thank my colleagues for being here because ultimately, at the end of the day, what does this bill do? It does this: if someone gets sick in a strike, it ensures that if they phone 911 and they need immediate medical attention, a paramedic will come. That's what this bill does, and ultimately that's what needs to happen.

Ms Martel: When has that ever not happened?

Hon Mr Stockwell: The member says, "When has that not happened?" We came within this far of it happening in the city of Toronto not too long ago. You ask your paramedic friends if that's true or not. I couldn't sleep at night if I were part of a government that allowed that to happen, thinking that people would die. I support this bill.

Mr Caplan: The Minister of Labour and the members of the government would have us believe that a part of the truth is the whole truth. I just want to put on the record, before I get into the comments about what's in this bill, what the practices of several governments have been over the course of about the last 20 years or so.

Between March 1981 and 1985, the Davis and Miller governments passed 292 bills and introduced time allocation three times—three times on 292 bills.

In the Peterson minority government, from 1985 to 1987, on 129 bills, that government introduced—

Interjections.

The Acting Speaker: Order on the government benches, please.

Mr Caplan: —one time allocation motion. Just one. In the next two years, the Peterson majority government: 183 bills, three time allocation motions.

The Rae government—I heard the Minister of Labour castigate the horrible NDP and their record: 163 bills, 21 time allocation motions.

From 1995 to 1999: 118 bills, 41 time allocation motions. That's the record of the Harris government, 41 in 118 bills passed. But then since the 1999 election, two years have passed and we have had 39 bills. This is the 24th time allocation brought forward—24 on 39 bills. Isn't that an amazing record? We had three 20 years ago and 24 in just two years.

Let's put this in a little bit of context here and why we on the opposition side view it through a bit of a different lens than what you heard from the government.

I would also say, to be very clear, that the standing orders have been changed in this place by all governments but not to the extent that the members of the Harris government have changed them, twice in fact. They have removed the opposition's ability to negotiate, just what the Minister of Labour said should happen. There's nothing left to negotiate.

So what happens? The government House leader gets together—the Minister of Labour talks about House leaders—with the House leaders from the other two parties and it's not even a discussion of negotiation, it's a discussion of intent: "We will be introducing these bills. We will be time-allocating them. We may or may not have committee hearings." There's nothing to negotiate. The government dictates, as it does, frankly, in the tone and tenor of its legislation, Bill 58 and many others. It just dictates the term of how things are going to be.

Frankly, for the Minister of Labour to stand in this place and try to portray time allocation as somehow "the devil made us do it"—give us a break. Nothing could be further from the truth. It is solely because the members of the government can't manage the business they want to pass in the very limited time—six or eight weeks is what the Minister of Labour said we sit. It's actually a little bit less, 133 days since the last sitting. In fact, the Ontario government sits less today than it ever has in its history. The reason for that is because the Premier and members of the government refuse to be held accountable. They believe they can cram and ram everything through this Legislature in the last few days.

I wanted to talk a little bit about what's contained in the bill, and I have unfortunately very little time, but the minister has referenced the criteria and his powers in here. It's very interesting, because it's quite a departure from the arbitration process for essential services of the

police and firefighters—and nurses. But I would also point out, because the minister didn't mention this in his comments, that there is collective bargaining. The police in the city of Toronto did not go on strike and did not go to arbitration. They were able to negotiate an agreement with their employer, the city of Toronto. That's the first step. Arbitration is the last step, when you can't come to an agreement. Frankly, for the Minister of Labour to stand up and say, "Wham, bam. Thank you. This is going straight to arbitration" is untrue and is simply wrong.

Interjection.

Mr Caplan: It is untrue. There is a process and a time of negotiation between both parties. If they can't agree, it then goes on to a fair arbitration process. In the minister's powers, in the criteria he sets, it's very interesting—the employer's ability to pay in light of its fiscal situation.

It's very interesting that the government has amalgamated the city of Toronto. They decided all on their own that the city of Toronto should be able to save 4.2% of its budget or \$420 million. When asked to justify that figure and where it comes from: deafening silence. There is no reply from the government or from any ministry that they can justify having downloaded those additional costs on the city of Toronto—and, frankly, all municipalities—and where these phantom savings should come from. So the fiscal ability to pay is determined by the policies of the Harris government, and that's one reason this legislation is bad and should be opposed.

Mr Peter Kormos (Niagara Centre): Paramedics should be incredibly concerned about this government's haste in ramming this bill through without full debate and without full committee hearings. But other workers, like police officers and firefighters, should as well, because I tell you that the new, revised, à la Mike Harris-Chris Stockwell arbitration formula that's in this bill is clearly the target for other workers who are identified as essential workers and are compelled to go through an arbitration process to effect collective bargaining agreements, which aren't collectively bargained but in fact are awarded by an arbitrator. This is incredibly dangerous stuff. This is an all-out attack on a lengthy history, a centuries-old history, of arbitration, on its neutrality, on its fairness, on its equity.

We should be very conscious of the fact that this government clearly wants this legislation so incredibly badly and wants it in short order. I resent this minister telling opposition parties that they can only have two days of hearings instead of the one day of hearings that's in the time allocation motion if they agree not to debate the bill in the Legislature. I'm sorry. At the end of the day, because of this time allocation motion, there are only three New Democrats, only three people from this caucus, who had an opportunity to debate the bill: you, sir, when you were at your place here, myself, in the lead position as critic, and our colleague Ms Churley.

The fact remains that there hasn't been full debate on this bill. The reality is that the government wants to play its bully game. I'm going to send the message and make it quite clear to this government: you bet your boots

we're going to call for committee hearings on this bill and on others. But it'll be a cold day in Hades before New Democrats say, "Oh, yes, but we'll fold our tent in the Legislature," and not do our job in this chamber exposing the content of this legislation, identifying who the targets of these attacks are and indeed standing up for those people who expect us to stand up for them.

Whether it's SEIU or OPSEU or CUPE members, New Democrats are proud to stand with their sisters and brothers in those trade unions as paramedics. We're proud to stand with them across the public sector, we're proud to stand with them in the private sector unions. Indeed, we'll stand arm in arm, shoulder to shoulder with workers across this province, union or non-union, in their struggle for fairness, some economic justice, some workplace health and safety and some respect from a government that repeats and illustrates again and again its incredible and absolute disdain for working people and, as is obvious in this piece of legislation, its disdain for the arbitration process. Any fair-handed or neutral arbitration process is chucked out the door by virtue of this bill.

For this minister to dare suggest it's incumbent upon opposition members to abandon their responsibilities in this chamber before he will consider two days of hearings rather than the one day of hearings contained in the time allocation motion is offensive, irresponsible and demonstrates he has no regard for the legislative process, for the committee process, and certainly no regard for paramedics, who are under direct attack by this bill and this time allocation motion.

The Acting Speaker: The time for debate has expired.

Mrs Ecker has moved government order number 28. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please indicate by saying "aye."

All those opposed will please indicate by saying "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1750 to 1800.

The Acting Speaker: All those in favour of the motion, please rise.

Ayes

Arnott, Ted	Guzzo, Garry J.	Mushinski, Marilyn
Baird, John R.	Hardeman, Ernie	Newman, Dan
Barrett, Toby	Hastings, John	O'Toole, John
Beaubien, Marcel	Hodgson, Chris	Ouellette, Jerry J.
Chudleigh, Ted	Hudak, Tim	Sampson, Rob
Clark, Brad	Johns, Helen	Snobelen, John
Clement, Tony	Johnson, Bert	Spina, Joseph
Coburn, Brian	Kells, Morley	Sterling, Norman W.
Cunningham, Dianne	Klees, Frank	Stockwell, Chris
DeFaria, Carl	Marland, Margaret	Tascona, Joseph N.
Dunlop, Garfield	Martiniuk, Gerry	Turnbull, David
Ecker, Janet	Maves, Bart	Wettlaufer, Wayne
Galt, Doug	Miller, Norm	Witmer, Elizabeth
Gilchrist, Steve	Molinari, Tina R.	Wood, Bob
Gill, Raminder	Munro, Julia	Young, David

The Acting Speaker: All those opposed to the motion will now rise.

Nays

Agostino, Dominic
Bartolucci, Rick
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Bryant, Michael
Caplan, David

Churley, Marilyn
Conway, Sean G.
Crozier, Bruce
Duncan, Dwight
Gerretsen, John
Kennedy, Gerard
Kormos, Peter

Kwinter, Monte
Levac, David
Marchese, Rosario
Martel, Shelley
Peters, Steve
Phillips, Gerry

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 45; the nays are 20.

The Acting Speaker: The ayes being 45 and the nays 20, I declare the motion carried.

It now being past 6 of the clock, this House stands adjourned until 6:45 this evening.

The House adjourned at 1803.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Halton	Chudleigh, Ted (PC)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton East / -Est	Agostino, Dominic (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton Mountain	Bountrogianni, Marie (L)
Beaches-East York	Lankin, Frances (ND)	Hamilton West / -Ouest	Christopherson, David (ND)
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
Brampton Centre / -Centre	Spina, Joseph (PC)	Huron-Bruce	Johns, Hon / L'hon Helen (PC) Minister of Health and Long-Term Care / ministre sans portefeuille (Santé et Soins de longue durée)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Clement, Hon / L'hon Tony (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brant	Levac, Dave (L)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kitchener Centre / -Centre	Wetlaufer, Wayne (PC)
Burlington	Jackson, Hon / L'hon Cameron (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Kitchener-Waterloo	Witmer, Hon / L'hon Elizabeth (PC) Minister of the Environment / ministre de l'Environnement
Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Chatham-Kent Essex	Hoy, Pat (L)	Lanark-Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Davenport	Ruprecht, Tony (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Don Valley East / -Est	Caplan, David (L)	London North Centre / London-Centre-Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Don Valley West / -Ouest	Turnbull, Hon / L'hon David (PC) Solicitor General / solliciteur général	London West / -Ouest	Wood, Bob (PC)
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	London-Fanshawe	Mazzilli, Frank (PC)
Durham	O'Toole, John R. (PC)	Markham	Tsubouchi, Hon / L'hon David H. (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Eglinton-Lawrence	Colle, Mike (L)	Mississauga Centre / -Centre	Sampson, Hon / L'hon Rob (PC) Minister of Correctional Services / ministre des Services correctionnels
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Erie-Lincoln	Hudak, Hon / L'hon Tim (PC) Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs	Mississauga South / -Sud	Marland, Margaret (PC)
Essex	Crozier, Bruce (L)	Mississauga West / -Ouest	Snobelen, Hon / L'hon John (PC) Minister of Natural Resources / ministre des Richesses naturelles
Etobicoke Centre / -Centre	Stockwell, Hon / L'hon Chris (PC) Minister of Labour / ministre du Travail		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, Hon / L'hon Brenda (PC) Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nepean-Carleton	Baird, Hon / L'hon John R. (PC) Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones	Scarborough East / -Est Scarborough Southwest / -Sud-Ouest	Gilchrist, Steve (PC) Newman, Hon / L'hon Dan (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Agincourt	Phillips, Gerry (L)
Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe-Grey	Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Northumberland	Galt, Doug (PC)	St Catharines	Bradley, James J. (L)
Oak Ridges	Klees, Hon / L'hon Frank (PC) Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint	St Paul's	Bryant, Michael (L)
Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	Stoney Creek	Clark, Hon / L'hon Brad (PC) Minister of Transportation / ministre des Transports
Oshawa	Ouellette, Jerry J. (PC)	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Sudbury	Bartolucci, Rick (L)
Ottawa-Orléans	Coburn, Hon / L'hon Brian (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Thornhill	Molinari, Tina R. (PC)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Ottawa-Vanier	Boyer, Claudette (Ind)	Timiskaming-Cochrane	Ramsay, David (L)
Oxford	Hardeman, Ernie (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parkdale-High Park	Kennedy, Gerard (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Parry Sound-Muskoka	Miller, Norm (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Perth-Middlesex	Johnson, Bert (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Peterborough	Stewart, R. Gary (PC)	Waterloo-Wellington	Arnott, Ted (PC)
Pickering-Ajax-Uxbridge	Ecker, Hon / L'hon Janet (PC) Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement	Whitby-Ajax	Flaherty, Hon / L'hon Jim (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Prince Edward-Hastings	Parsons, Ernie (L)	Willowdale	Young, Hon / L'hon David (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Windsor West / -Ouest	Pupatello, Sandra (L)
Sarnia-Lambton	Di Cocco, Caroline (L)	Windsor-St Clair	Duncan, Dwight (L)
Sault Ste Marie	Martin, Tony (ND)	York Centre / -Centre	Kwinter, Monte (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)
		Vaughan-King-Aurora	Vacant

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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of Ontario**

Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 13 June 2001

Mercredi 13 juin 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 13 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 13 juin 2001

The House met at 1845.

ORDERS OF THE DAY

GOVERNMENT EFFICIENCY ACT, 2001

LOI DE 2001 SUR L'EFFICIENCE DU GOUVERNEMENT

Resuming the debate adjourned on June 12, 2001, on the motion for second reading of Bill 57, An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts / *Projet de loi 57, Loi visant à favoriser l'efficience du gouvernement et à améliorer les services aux contribuables en modifiant ou en abrogeant certaines lois.*

The Acting Speaker (Mr David Christopherson): Further debate?

Ms Shelley Martel (Nickel Belt): Thank you, Speaker. Where would you rather be on a Wednesday night than the Ontario Legislature? I could think of a few places.

Anyway, let me say that earlier this afternoon I had to deal with the government once again moving a time allocation motion to shut down democratic debate in this Legislature. You know what? I appreciated the work Mr Caplan did in terms of looking at some of the time allocation motions. I think it's worth just repeating what those were, and I hope he doesn't mind that I do this.

In the last 39 bills this government has moved, this being the Conservative government, we've had 24 time allocation motions. I wanted to compare that to the time we were in government, when we had 21 time allocation motions with 163 pieces of legislation. When a government member like the Minister of Labour, whom I had to listen to this afternoon, talks about, "Well, that's the way it was when you were here. We just flipped the tables over and now that's the way it is when we're here," he's quite wrong, isn't he, Speaker? If you just look at the numbers, it's very clear that during the course of our government, the overwhelming majority of bills were not dealt with through time allocation, whereas under this government the overwhelming majority of bills are dealt with by this government shutting down democratic debate so that duly elected MPPs like myself just don't have an opportunity to participate.

Interjections.

The Acting Speaker: Order, order. The member take her seat. It's really warm in here. The air conditioning is not working, I understand, but we did really well this afternoon, so let's see if we can continue that for this evening. Let's give our attention to the member for Nickel Belt.

Mr Doug Galt (Northumberland): She's irritating.

Ms Martel: Do you think I'm worried about that really, Mr Galt?

We're here tonight to deal with Bill 57. Bill 57 is another little creature that this government has adopted whereby they look at a number of ministries and make a number of changes, all under the guise of a single bill that's allegedly supposed to do something about efficiency. In this case, of course, we have a red tape bill that amends approximately 50 statutes and repeals a handful of others. This is occurring under a number of schedules—15 ministries are in fact affected—running from schedule A to schedule O. I say it's another creature that has been really adopted by this government, because in almost every session of Parliament under this government we have been facing such a bill. I think it began with Bill 26, that infamous omnibus bill just after the government was elected.

The thing about these omnibus bills is that the government would have the public believe these are just minor housekeeping amendments, just a few changes, a little tinker here, a little tinker there, "We're not really doing anything that should dramatically affect the public, and this is going to make government work, oh, so much better once we get it passed." But the thing is, right from Bill 26 and with each of the omnibus bills this House has dealt with, there has been more than just a minor tinkering with this bill or that bill. There has always been one, two, three or 10 items in those schedules that have a dramatic impact on people and couldn't be construed by any reasonable person as a minor change, a little housekeeping item, something we shouldn't worry about.

This Bill 57 is no different, because while the government tries to say this is all about efficiency and improving services, in fact in a number of cases there are very direct, very controversial, very dangerous withdrawals of rights that workers already have. This bill is no exception. We see the government again trying to disguise this, trying to say to the opposition and the public, "Don't worry. Sweep it under the rug. Minor changes," when in fact some really significant changes occur in some of these schedules, and I want to deal with two in the time I have tonight.

1850

The first deals with schedule C, specifically the amendments to the Hospitals Labour Dispute Arbitration Act. I'm sorry the Minister of Community and Social Services is not here, because this directly affects people he deals with, both in terms of employers and employees and any number of transfer agencies that his ministry funds. I'm not sure if he knows that this has actually been added to this omnibus bill, that his colleague the Minister of Labour is interested in making this kind of change. I view the change as really unnecessary, because I believe the current system that is in place under HLDAA works well for employers and employees in the developmental services sector. I cannot, for the life of me, figure out why the government would want to make the kind of change it is making, unless it has something to do with the fact that a number of these workers, who are very low-paid workers doing important public service for the intellectually challenged, were using the arbitration process and were getting a bigger amount of money than they might have been able to get through collective bargaining. That's the only reason I can see that the government would come through this schedule and make this type of change, which in essence will probably dramatically affect the pay of a number of workers in this sector—pay, I assure you, that is well below that of their counterparts who work in public facilities in this province, for example, in psychiatric hospitals etc.

The current situation is this: as a consequence of actions that took place in the early 1980s, any number of workers were designated as essential services and so their recourse in terms of pay issues, if they couldn't resolve them with their employer, has been resolved at arbitration. This began with hospital workers, and then the law allowed that any number of agencies whose employees and employers together went to the Ontario Labour Relations Board and made a case of why they should be declared an essential service could have the labour relations board agree to that. When that occurred under those circumstances, those employees could begin a collective bargaining process, but if there was no agreement, they did not exercise the right to strike; they instead went to arbitration. They gave up their right to strike.

I suspect that many workers in this sector did that because of the clients they work with on a daily basis. We are talking about employees who work in group homes with the developmentally and intellectually challenged, some who might have very serious behavioural problems, some who may be very difficult to deal with. It also applied to any number of people working in sheltered workshops, for example, with the same kind of clientele, who in many cases needed extensive support, sometimes 24-hour support. Many of these workers in these agencies made a very conscious decision—I suspect because of their concern for their clientele, because of the concern for the families of those clients—that they would try and be designated under HLDAA so that they would get pay issues dealt with at arbitration versus

going on strike. Their decision. Each has had the opportunity to go to the Ontario Labour Relations Board, and the board has made a decision either to designate or not, since about 1982.

You've got another set of workers who may work in the very same sector but who have made a decision that they want to exercise collective bargaining and the right to strike if in fact they can't bargain collectively with their employer. Instead of asking to be designated, they continue to have the option of being able to strike if they can't get their wage demands met and if they can't come to some agreement with their employer, and I think that process has worked very well in those sectors. What I don't understand is why the government now is moving to make quite a significant change in this sector. As I read schedule C, all of those groups that before got designated under HLDAA and went to arbitration when collective bargaining didn't work will now lose that designation. So the manner in which they will have their disputes resolved, if they can't get them resolved through a collective agreement in the bargaining process, will be to go on strike.

It seems to me that surely there are some bigger issues in this sector that the government might want to deal with. If there has not been a problem with the current system in this sector for these workers—either you got designated under HLDAA or you did not—why is the government in schedule C now trying to take away that designation and take away that arbitration process?

The only conclusion I can come to is that perhaps some of these workers, who everyone in this House knows are very poorly paid and who do tremendous work with the intellectually disabled, have been in agencies that were designated under HLDAA, have gone through the arbitration process and have got a substantial award, probably what they were actually worth in terms of the valuable work they do, and maybe it is that the government doesn't want to see these folks able to use the arbitration process any more to get those wage increases.

I say to the government, God, if that's what's driving the change you are making in this section, that's a really pathetic way to deal with these important workers. It seems to me that the way you deal with their pay is to recognize the value of their work and to pay them accordingly. That was the very thing I mentioned when we had the Association for Community Living here on May 15 and we were celebrating Community Living Day.

I'll make the point again: you've got workers in this sector who do tremendous work with the most vulnerable clients in Ontario, the most vulnerable people in Ontario, and they on average are getting paid 25% less than their counterparts who work in institutions with the same clientele. If we're going to keep these people doing the incredible and valuable work they are doing, then we have to start to recognize the value of that work and increase their pay.

I know the Minister of Community and Social Services in the budget announced money for this sector. He has assured me that a portion of that money will be used

to raise the pay of workers with the Association for Community Living. I have to trust that he is telling me the truth when he says that. So I would say to him: Get rid of this section in schedule C. Pull it out of the bill. Take it out of the bill. There is no need to change a process that has been working unless your only aim is to try and find a way to decrease the wages of workers in this sector.

And if the minister is telling me on the one hand that what he's trying to do is raise wage levels, then he should be just as offended as these workers in this sector that this section even appears in the bill. The government should get its priorities straight: never mind this section and schedule C; go about negotiating with OPSEU and with CUPE, who primarily represent workers in developmental agencies in that sector, and start to raise the wages of these people.

The second schedule I have very serious concerns with, and I only point out two tonight in the time that I have, is schedule I, and I refer to the amendments to the Occupational Health and Safety Act. Specifically, I want to deal with three of the changes.

The first, of course, is the one that concerns me the most and concerns our party the most, and that is the repeal of section 43(7), which requires—requires now—a health and safety inspector to investigate a work refusal at the workplace in the presence of the worker. The change the government wants to make through this schedule is to allow an inspector essentially to make a decision over the phone, to hear the details of the work refusal over the phone and then decide whether or not he or she is going to, as an inspector, go to that workplace and investigate what's happening.

1900

I don't know what the government is thinking about in this regard. First of all, it's worth mentioning that at a briefing my colleague who is our critic for the Ministry of Labour had, the ministry people there said, "We get, on average, between 200 and 300 work refusals in a year." That's one, across the province, every day. No reasonable person could ever, ever legitimately argue that workers are abusing this right. If you have one per day across the province, you just cannot stand in this place and say that's an abuse, that workers are abusing it and we need this to cut down the time and the energy and find some savings from not having these inspectors do this work.

The ministry staff also told my colleague that they still felt that 99% of the calls that came in would be investigated on site by an inspector. If 99% are going to be inspected after this change, what are you doing this for? What are you doing this for, then? What is the point of this exercise? I find it hard to believe that the ministry would go to the effort of saying, "We're not going to automatically go in when a worker calls," exercises his or her right to refuse and the employer says otherwise, "We're not going to go in and do that automatically, but in 99% of the cases we probably will still go in." Well, what are we spending legislative time for doing this?

I have some trouble, Minister of Labour, believing that in fact they are going to go in in 99% of the cases. I look at this and say, if this is in front of me and the government is investing some time in this schedule, that means the government is going to be sure that they're not going in in 99% of the cases, that they're not going to go in half the number of times that they might now.

So what is the point of wasting everyone's time and sending a message to workers that says essentially, "Don't bother exercising the right to refuse any more, because we're going to have an inspector on the end of the phone who may decide—may not—if he's going to come." There's nothing in the bill that sets out any of the criteria that the inspector is going to use to determine if they go into the workplace or not.

I'm thinking of the workplaces in my riding. It's going to be cute at 3,500 feet underground, when a miner is exercising his right to refuse, to be on the end of the phone with the Ministry of Labour inspector, trying to describe the situation underground that led him to exercise his right to refuse. You're going to have someone sitting 3,500 feet above ground trying to sort out what's going on down on there and whether or not they should make an appearance? That's ridiculous.

The law was put into place to protect workers, and there has been no abuse of this law by workers. I'll bet in 99% of the cases workers who exercise their right to refuse are in a unionized shop, which doesn't include the majority of workers in this province in the first place. If you work in a non-unionized shop, you probably don't even know you have the right in the first place and, God knows, if you exercise it, you would anticipate losing your job the next second after that.

We're talking about a minority of workers overall in the province who would actually be aware of this right and then exercise it. We learn from the ministry that on average in a year—in a year—200 to 300 workers would exercise this right, one a day across Ontario. In the thousands and thousands of workplaces that we have across Ontario, one a day might exercise this right. There's nothing frivolous about this. Workers who do exercise this right take it very seriously, I can assure you. To say that, "We'll just get rid of the automatic obligation, but we're still go in 99% of the time," I'm sorry, I can't believe we would be going to all this trouble if the ministry is still going to go in 99% of the time to investigate these complaints.

Do I think the minister has other intentions? Absolutely. I think that's why this is in this schedule. I absolutely believe that if it's here, there is a reason for it, and that reason is to have the inspectors go into these workplaces less and less, which means less and less protection for the very people the law was put in place for.

It's not just me who thinks it. I see that any number of members got a copy of the letter addressed to the Honourable Chris Stockwell, dated June 11. It's from the representatives of the health and safety inspectors across the province. They say:

"We are writing you as representatives of health and safety inspectors seriously concerned about the adverse impact of the proposed changes to the Occupational Health and Safety Act....

"We are seriously concerned by the lack of consultation with inspectors during the process of formulating these amendments. Indeed, many of us were surprised, and somewhat embarrassed, to learn about these amendments from our clients in the field.

"We have grave concerns about the proposed changes to section 43(7) ... which will now allow an inspector to investigate a work refusal without having to be present at the workplace to examine the actual work situation. As ... professionals, we find this an absolutely unacceptable approach that perverts the basic tenets of good investigative practice and sound health and safety and industrial hygiene principles. Such an approach will inevitably result in the tragic consequences that the lack of regulatory vigilance led to in the town of Walkerton."

The letter goes on. The point is, here we've got another bill and the government says, "Don't worry; be happy. These changes are minor." There are very significant changes that impact directly on the rights of workers, and we will oppose this bill.

The Acting Speaker: Questions and comments?

Mr Galt: I was quite entertained by the presentation of the member for Nickel Belt, particularly in the first two to three minutes. She commented about the time allocation motion that we had here this afternoon and listed off a number, suggesting a lack of consultation, a lack of hours spent in debate on various bills.

I'd like to point out to her that the time spent on second readings in our first session was four hours and 50 minutes, while they spent one hour and 28 minutes. In the second session they improved a little bit. We were up to six hours and 10 minutes per bill; they came all the way up to three hours and 55 minutes.

Mr Speaker, you can obviously see, and I think you would understand, what's been happening here. Our government has been very extensive and very generous in the hours that we've spent on these different readings.

Then there was some talk about the number of days. Again, I look at this and see 431 sessional days—that was in four years, less a week—and the NDP in, I think it was five years, just about five years anyway, had 385 days. That's some 46 days fewer that they sat than our government. So I really don't quite follow the message from the member for Nickel Belt and the concerns that she was expressing about a time allocation motion to get on with things. Yes, there may have been a few more in this term, but the hours that we've put in in debate and provided have been far more extensive than either of the two previous two governments.

Also, I think it's interesting to note that her government, in fewer days, passed 163 bills, while our government passed 114, significantly fewer bills, in a lot more days. So the argument that she has on consultation certainly does not stand up in hours of debate and days of debate.

Mr Peter Kormos (Niagara Centre): The member for Nickel Belt does it again: she sends the Minister of Labour scurrying out of here with his tail between his legs.

Look, this bill is all about an attack on hard-working women and men here in Ontario. It reflects this government's agenda. It reflects this government's attitude toward working people, and that is that this government, this Minister of Labour, is prepared to sacrifice the lives, the safety, the physical well-being, the health of Ontario's workers so that their corporate friends can maximize profits, just max out, without having to pay any regard to the rights that workers have won over the course of decades and generations, the rights that are being repealed here in schedule I of Bill 57. It's all about efficiency; it's all about making things more efficient for big international corporations. It's all about making workers' lives more dangerous. At the end of the day, I'm telling you, workers are going to be injured as a result of this, workers are going to die as a result of this.

I tell you, this is also very much part of the privatization agenda, because even as it is, in terms of the number of Ministry of Labour inspectors, we're shy around 80 from the full complement of what I'm told is around 280. There are only 200 of them working. The government has refused to replace those other 80 workers. I predict privatization of the so-called Ministry of Labour inspection services, and the elimination of the requirement to do on-site inspections simply once again raises the profit margin for the corporations that are going to be taking that task over, be it Andersen Consulting or any number of close, intimate friends of this government.

1910

The fact is as well that people are angry out there. Paramedics are angry at what this Minister of Labour and this government have done to them by virtue of their time allocation bill today. Workers are angry. The Ontario Federation of Labour and its executive board have promised—and it's a promise they're going to keep, I can tell you—to make life miserable for the Minister of Labour, his Premier, his government, and for their corporate friends. There's going to be workplace actions across this province. Places are going to be shut down. No warning this time; it's simply going to happen.

Hon Chris Stockwell (Minister of Labour): I certainly wasn't scurrying out of here. I was simply just getting a rest from the rhetoric and hyperbole that I heard for the last little while. It's difficult to continue to hear this kind of fearmongering. It was ridiculous.

They must have no respect for the professional civil servants who work in this province. You must have no respect for them. You must honestly believe that if it's raining out or something, an inspector wouldn't go to a very serious health and safety request. You must think these people are just lazy layabouts. This government doesn't share your opinion. We understand the professionalism attached. The reason this is giving them this kind of authority is because we believe in their profes-

sional nature. We believe that if they think it's a real health and safety issue, they will travel there and inspect.

But not the New Democrats—who claim to speak for whom? Whom do you speak for, I say to the third party House leader. You've got nine members. You got 9% in the polls. You've got a disconnect here between your unionist buddies, the executive leadership, you and the rank-and-file people out there. You say you speak for them, and they vote for us. It's a crazy disconnect. You don't speak for them. Quit pretending you speak for them. Quit blathering on about you speak for the working people.

They believe in this government. We created prosperity, we created jobs, we created all the good things that they have now, not your administration. You sit here in your bellicose fancy, standing up and screwing up your nerve, telling us, "We speak for the working people." You had nine points in the polls. You speak maybe for your immediate family; that's about it. I don't want to hear any more. There's a disconnect between you and the people. We filled it. We speak for the working people, not you.

Mr Wayne Wettlaufer (Kitchener Centre): I was slightly amused, I almost actually broke out into laughter, when I heard the member for Niagara Centre stand up and speak with his usual rhetoric and hyperbole. He was also in a committee meeting this afternoon which I was attending. That was on Bill 25. He had his union buddies in there, giving their usual spout.

I have to say that here he is, standing there and saying that he believes—I think he believes; I'm not even sure sometimes—that they stand up for the unions. I have to echo what the minister just said: we're the ones who are standing up for the unionized workers. They're the ones who are enjoying prosperity as a result of our policies over the last six years.

They talk about what they've done for working people in the province. They talk about all the time allocation on our bills? I recall that NDP government ruling by decree. The final year that they were in power, they only sat for, what, a half-dozen days?

Hon David Young (Attorney General, minister responsible for native affairs): When did the social contract—

Mr Wettlaufer: And the social contract; there's another one, I say to the Attorney General. Yes, thank you, the social contract. How many days of consultation did the NDP government have on the social contract?

I know they're going to say, "That was the Premier of the day," he wouldn't let them have any consultations. That's just a fact of life, isn't it? The fact is you didn't allow any consultation, none. You ruled by decree in the final year that you were in power. Good heavens. I can't say what that is, because it's not parliamentary.

The Acting Speaker: The member for Nickel Belt has up to two minutes to respond.

Ms Martel: It's too bad the Minister of Labour has scurried back out, because I'm going to read more from a letter that was sent to him by his own health and safety

inspectors, the very people who work for the Ministry of Labour and do the health and safety inspections. For all of you people who don't have a copy of it, you'd better get one, because you'd be enlightened by what the professional civil servants have to say about this bill from their own minister. Here's some more:

"From our own experience, we've found that what seems like a minor health and safety problem from an over-the-phone work refusal generally turns out to be much more serious when we are able to investigate the circumstances directly. Indeed, the ministry's own data will bear out the fact that the work refusal provision is used quite infrequently (a couple of hundred times per year) when compared to the thousands of contravention and stop-work orders we issue annually...."

"As inspectors we are perplexed by the introduction of this questionable approach. While this approach may save some inspector time in the field, we find it inefficient with respect to achieving the desired end of enhanced workplace health and safety. We know that the ministry does have a staffing shortfall in terms of the number of inspectors available in the field. We also have a shortage of other professional disciplines such as industrial hygienists, professional engineers, scientists and occupational health doctors and nurses. These you will recall were drastically cut from the occupational health and safety program in 1996," under this government.

Here's the end of it:

"In the light of the probable adverse impact of these proposed changes to the legislation we are entrusted to enforce, we request a meeting you at your earliest convenience. We also request that you consider withdrawing these amendments until your inspectors and other workplace parties have been given an opportunity for meaningful input. This is not the time to be expedient. This is the time to be thoughtful and measured in our judgment."

These are the Ministry of Labour inspectors, the minister's own staff, who say this change is nuts.

The Acting Speaker: Further debate?

Mr Galt: I'm certainly pleased to be able to speak in support of the Government Efficiency Act, 2001, Bill 57, which is a continuation of the Ontario government's battle for good government. The bill is consistent with the speech from the throne back in April, which promised to streamline government and to remove barriers to jobs, investment and growth. Furthermore, this bill is also consistent with a profound cultural shift in all of the countries which are members of the Organization of Economic Co-operation and Development, an international organization.

In the 1999 speech, we spanned the accomplishments of the regulatory reform movement since the early 1990s. The head of program on regulatory reform at the OECD stated emphatically that these reforms have been indeed a success. The first generation of regulatory reform was to revitalize the functioning of economic activity by withdrawing governments from ownership and from intervention into markets. The OECD said that in the OECD countries where these reforms have been applied for the

last decade, the results have been a triumph of economic competition policies. The wealth, innovation and competitive advantage created by these reforms have launched a process of reform that is now a worldwide phenomenon and which is affecting the lives of billions of people.

According to these results, regulatory reforms could be among the most significant of policies aimed at alleviating global poverty and inequities in some poorer countries and of ensuring sustained economic growth in more industrialized countries.

That was the first generation of regulatory reform. We're now entering the second generation of regulatory reform. These kinds of reforms are needed to consolidate the move to free-enterprise economic growth that has been so successful that it challenges the capacity of obsolete institutions to perform important functions. In other words, what we need to look at in this second generation of regulatory reform is institutional adaptation.

1920

Some countries have already moved toward this new relationship between government, business and stakeholders. For example, in the last 10 years, Italy has implemented advances in reforming the public sector and providing customer-oriented services. Countries such as Denmark have proceeded with pragmatic steps that have contributed to solid economic performance and adjustment to changing conditions. In the Netherlands, reform has been important to the modernization of the government and integration into the European economic market. All these countries have implemented reforms and have harvested economic benefits. Ontario must follow these examples. We must not lag behind. We must indeed remain competitive.

Bill 57 is a contribution to the goal of our government to remove unnecessary barriers to job creation and growth and to provide better services to our citizens. To this effect, Bill 57 contains changes designed to eliminate unnecessary requirements, clarify sections of statutes and simplify processes. It includes provisions that would remove out-of-date barriers and make it easier for many stakeholders to proceed with the necessary changes in their business without impediment from the government. The bill contains measures that would provide for better government services to the public and better administration of public resources. Let me mention just some of those.

The first one is the example of the bill amending the Lakes and Rivers Improvement Act to enhance the province's ability to protect public safety and property as it relates to water management. The amendments would allow the Ministry of Natural Resources to enact regulations for dam safety, thereby streamlining the process for making changes to such regulations. This amendment would help the government protect public health and safety.

We had a personal experience with that right in my own community, a little hamlet called Salem. There's

more than one around Ontario. It's the one between Colborne and Brighton. On that creek called the Salem Creek a dam broke away, and the rush of water took out another dam and carried a lot of silt into a very famous fishing pond, a most unfortunate incident that probably could have been prevented with the proper regulations without a whole lot of red tape.

Experience with some flood events in other provinces have clearly demonstrated that risk to life and property, social disruption and economic losses are significantly higher when the government is unable to take immediate action and respond to threats to public safety during a flood emergency. Currently, the Minister of Natural Resources has to notify a landowner before the ministry can intervene and order actions to prevent injuries or property damages during a flooding or a dam failure. This notification process can cause great delays in action, measured in days, therefore increasing the threat to life and property. This amendment would allow the Minister of Natural Resources to act quickly and effectively during an emergency by dispensing with the formal requirement to serve notice of intent in those instances where an immediate order is necessary to protect any person from injury or property from damage.

Another amendment in this bill establishes a specific limitation period of five years for the prosecution of offences under the Lakes and Rivers Improvement Act. A five-year limitation period is consistent with existing industry standards and similar acts administered by the Ministry of Natural Resources. Currently, the default period prescribed under the Provincial Offences Act is six months. Due to the remoteness of locations of dams in Ontario, several years can elapse before a deficiency is discovered and staff can determine whether or not an offence has truly been committed. A five-year limitation period is consistent with accepted industry standards, as specified in the guidelines of the Canadian Dam Association, to conduct dam safety reviews of high-hazard dams and is in line with the limitations period specified under similar acts. Furthermore, the limitation period applies only to prosecutions under the act. Statutes of limitations for civil suits will continue to be governed by a totally separate legal regime.

The second point I'd like to make is that Bill 57 streamlines some of the processes that currently create difficulties in delivering services. For example, the bill would amend the Commissioners for taking Affidavits Act and the Notaries Act. Currently the Lieutenant Governor has statutory authority to appoint commissioners for taking affidavits and notaries for administering those and taking affidavits. These amendments would provide for the appointment and revocation of appointments of commissioners for taking affidavits by the Attorney General or any public servant authorized by the Attorney General.

Let me recall that in 1999-2000 there were some 5,389 commissioner appointments, 1,963 commissioner renewals and 1,024 notary public appointments. Due to this high volume of appointments, it is not feasible for the

Lieutenant Governor to continue to hold the statutory authority to appoint notaries. Having the Attorney General or an authorized public servant approve the appointments would make the process more efficient. The proposed process is similar for appointments of commissioners and notaries to that used in Alberta.

The third point I'd like to make is that the bill contains an amendment to the Architects Act which would convert the current unregulated architects' indemnity fund to a licensed insurance company under the oversight of the Financial Services Commission of Ontario. The purpose of the amendment to the Architects Act is to provide greater public protection and confidence in professional liability insurance.

The new company would continue to supply coverage of up to \$250,000, but this conversion would allow it to compete on the open market with other companies to provide insurance coverage in excess of the required minimum level of \$250,000 now in place. The new insurance company would establish an arm's-length relationship between the insurance segment of the Ontario Association of Architects and its other activities. The insurance company would also administer the mandatory professional liability program for Ontario architects on a break-even basis, as in the past. The conversion of the indemnity fund would allow people to make claims directly to the new insurance company. It would also, through reinsurance, allow risk to be shared more broadly.

The fourth point: under this bill the Charities Accounting Act would be amended to give trustees, including trustees of charitable trusts and directors of charitable corporations, the authority to delegate investment powers. The amendment also establishes terms and conditions under which this delegation may occur. Certainly trustees are responsible for making all investment decisions, and many trustees, including trustees of charities, do not have sophisticated investment knowledge. Financial management has also become very complex and fast-paced, and many trustees would be better able to administer trust funds if they could hire professional investment managers to invest funds for them.

The legislation does not dictate who can act as agents for trustees. It does, however, require a trustee to be prudent in choosing an agent. It also requires that trustees closely monitor the performance of the agent, remedy problems, or replace the agent if necessary. Many trustees would be able to administer trust funds better if they could hire professional financial managers to invest funds for them. This is a good amendment. It shows that this bill is another initiative by this government to protect and to improve services to many stakeholder groups in very innovative ways.

The fifth point: Bill 57 provides more protection for some stakeholder groups. This is especially true for tenants, and I'm sure you'd be interested in that one. For example, this bill would amend the Tenant Protection Act and would increase protection for tenants by making it an offence for a landlord to retain a rent deposit and refuse to provide occupancy of the rental unit. While it is true

that most landlords do return rent deposits to the prospective tenants, they are not currently required to do so. Prospective tenants must go to the Small Claims Court to get their deposit back if a landlord refuses to return that deposit.

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By amending the Tenant Protection Act to require landlords to return a rent deposit if they refuse to provide the rental unit, and by making it an offence for the landlord to do so, we are giving prospective tenants greater protection against, clearly, an unfair rule.

This act would also make it an offence if landlords do not provide evicted tenants 48 hours to retrieve their property. Currently under the Tenant Protection Act landlords are required to give evicted tenants some 48 hours to retrieve their property. However, it is not considered an offence if they do not. Ten stakeholder groups have expressed concern that tenants are defenceless against landlords who refuse to allow evicted tenants access to rental units for the removal of their property. The proposed amendment would help address these concerns.

The sixth point: the bill would also include several provisions that would remove out-of-date barriers, to make it easier for many stakeholders to proceed with the necessary changes in their business without impediment from the government. For example, the bill intends to modify sections 34(2) and 34(3) of the Corporations Act. These sections from the Corporations Act state that in order to permit social club corporations to convert to business or non-share capital corporations, unanimous consent is necessary.

As we know, unanimous consent is almost impossible to achieve. It's rare that we manage to achieve it in this House, but it's even more difficult in social clubs. Therefore, the bill intends to modify this rule. Instead of unanimous consent, the bill would change this rule into a two-thirds majority of the shareholders. The rule of majority of two-thirds ensures that any move toward converting a social club corporation to a non-share capital corporation would receive the strong support of the social club.

Members of social club corporations agree with the proposal that only a two-thirds majority is needed to convert their social club corporation to a non-share capital corporation instead of by unanimous consent. This amendment is long overdue, since over the years the government has received requests from social clubs that they wanted this change.

The bill is also proposing to change sections 18(1), 113(2) and 119(1) of the Corporations Act to remove the requirement that applicants for letters of patent include their residence address and calling or employment status. This is a good example of an unnecessary bureaucratic requirement that can be easily eliminated. As we know, when dealing with customers, an address for service is sufficient and is consistent with other corporate statutes.

I'd like to share with you for a few minutes, as we talk about red tape and some silly regulations, some that I recently came across. The Reverend David Timpson, as a

matter of fact, was the one who shared these with me, and I have four here that are kind of interesting.

"Did you know that it is illegal in the city of Kingston"—Kingston, Ontario—"to wear clothes that clash with the city's colours?" I'm not sure how long that's been in place, but it was there when he was a young lad. I'm sure the member for Kingston, while mayor, may have changed that.

"There is a law in Florida that makes it illegal for a woman who's single, divorced or widowed to parachute out of a plane on Sunday afternoon." I'm not quite sure what the purpose there was.

"In Amarillo, Texas, it is against the law to take a bath on the main street during banking hours. And in St Louis, there used to be a law that if your automobile spooked a horse, you had to hide the car. And if hiding didn't work, you had to start dismantling it until the horse calmed down."

Probably when those various laws and regulations were brought in, there were sound reasons to do so. But it's obvious, when they're not taken off the books, they become pretty silly later on.

I remember back in 1995, when we took office, the Ministry of the Environment was encouraging to have pesticide containers recycled. But on the books there was a law that, if you did, you could be charged, because you were required to bury pesticide containers. It didn't matter whether they were contaminated or not, you were required to bury them. We went through an extensive regulatory reform in that ministry, and the regulations were criss-crossed something like the logs in a beaver dam, all jammed in, and as soon as you'd start to move one, it affected a whole bunch of others. It was pretty complicated to make some changes in those regulations in that ministry, but it certainly was necessary.

I'd like to share with you a quote from James Reston. He once said, "A government is the only known vessel that leaks from the top." With a whole bunch of red tape and a whole bunch of excess taxation, that's indeed what happens to a government. With these changes, I honestly believe that we will stop some of that leak from the top that has been sinking Ontario in general, and it almost went under back in 1995. Thanks to a lot of the changes that we've brought to government—the reduction of taxes, stimulating the economy—the end result has been just more things are being sold, more people are working, we have almost a million more people working today than were working in 1995, over half a million people off welfare. I think it's well over \$12 billion now coming in in revenues that were not coming in back in 1995.

It just shows you, if you do something with this red tape, if you do something with excess taxation—and it was said this afternoon in committee, "You know, I don't think there was ever a tax that the NDP didn't like." That's unfortunate and was what caused an awful lot of grief for our party—for the government, rather.

This bill intends to continue the work to keep Ontario prosperous and dynamic. With this bill, the people of Ontario would enjoy better services. I sincerely urge all

members of the Legislature to support job creation, economic growth and better government services by supporting this bill. I certainly can enthusiastically support this bill.

The Acting Speaker: It is now time for questions and comments.

Mr Kormos: Fine, except that schedule I withdraws, repeals some incredibly hard-won sections of the Occupational Health and Safety Act that help workers save workers' lives. You see, schedule I of this omnibus bill repeals the section of the Occupational Health and Safety Act that requires an inspector to do an on-site inspection when a worker has exercised his or her right to refuse unsafe work.

We know that the government's been slowly gutting that staff of inspectors. There's a full complement of 280. That's what's required, but we know there are only around 200 inspectors working for the ministry now. They haven't bothered to replace the ones who have been turfed. It means that the government is getting out of the inspection business. I think we'd better all read the writing on the wall very, very carefully to better understand what this means.

There's supposed to be 280 inspectors. We now have a complement of about 200. Now these inspectors are no longer going to be sent to workplaces to do actual investigations, inspections, when there's a right to refuse work. We know from the ministry's own data that there are somewhere between 200 and 300 refusals of work per year. We also know that workplaces are going to become more dangerous because the repeal of sections 34 and 36 means that workplaces no longer have to maintain an inventory of the hazardous materials kept on site.

We know that, because of the repeal of sections 34 and 36, if this bill passes, workplaces no longer have to advise within their workplace the intake of yet a new hazardous material. This exposes workers to these cancerous materials, carcinogens, things that cause incredibly dangerous diseases and injuries. We know that workplaces are going to become more dangerous, yet this government is not going to send its inspectors to investigate—a recipe for disaster.

The Acting Speaker: Further questions and comments? Hearing none, the member for Northumberland has up to two minutes to respond.

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Mr Galt: I was listening to the member for Niagara Centre and listening to all the fearmongering that he was trying to create over there and speak on. That's been about all that party's been able to do for the last decade or so. Particularly since 1995 it's been very, very ineffective.

It was interesting to watch last Friday in St Catharines the member for Niagara Centre basically trying to incite a riot while the committee was in session. It was very unfortunate for the democratic process that he would be doing such a thing. I was, frankly, quite disappointed. I held him in much higher esteem until I saw the performance on that particular day and what he was doing

right in his own home area. Not only that, he created a special meeting for union workers to come in to help with it. He was successful in holding the committee up for some 15, 20 minutes. But there was a very competent Chair, Marcel Beaubien. He got the meeting under control, got the crowd under control, didn't have to throw anybody out, although he should have thrown the member for Niagara Centre out.

The Acting Speaker: Stop the clock.

Mr David Caplan (Don Valley East): On a point of order, Mr Speaker: Is it parliamentary for one member to accuse another of trying to incite a riot? I believe that's what the member said about the member for Niagara Centre. My understanding is that that's not parliamentary at all.

The Acting Speaker: I'll give the member an opportunity to withdraw, if he'd like, but based on the reaction of the House, I didn't see anything—it was certainly provocative, but I would afford the member an opportunity, if he'd like. Please restart the clock.

Mr Galt: Thank you very much, Mr Speaker. I was just calling a spade a spade. It's how I saw it, if the member happens to be upset over that description of it, but I think that's what could have happened, had the crowd been so inclined. Fortunately, in that instance the crowd wasn't quite so inclined. They were a little more civil, so it didn't get quite that disruptive. But I think it might have, had it not been for the Chair and his expert ability in handling the crowd and working with them and talking to them. Otherwise, I think that would have happened. My compliments to the Chair of the standing committee on finance and economic affairs.

The Acting Speaker: Further debate?

Mr Steve Peters (Elgin-Middlesex-London): Thank you very much, Speaker. It's a real pleasure to see you in the Chair this evening.

We have in front of us this evening another piece of omnibus legislation. I think when historians look back down the road at the Harris government, there are going to be a number of things that they'll look at. They're going to look at the damage that has been done to Ontario in the field of education. They're going to look at what's happened as a result of the changes to the environment. They're going to see what's happened to our health care system. The list could go on and on.

But another famous trademark of the Harris government, unfortunately, is going to be their unrelenting support for omnibus legislation. It's a bill that's in front of us this evening, that talks of efficiency, but I don't think it's in the interests of the taxpayers of Ontario, whom all 103 of us here represent this evening. I don't think that the taxpayers of Ontario are looking at us to be efficient in the manner of ramming through omnibus legislation. I think the taxpayers of Ontario are looking at us as the legislators of this province to responsibly deal with the issues that are facing Ontarians today. It's not a responsible way to deal with the changes that are proposed within this legislation. It's not responsible, it's not efficient to deal with them in the manner of an omni-

bus bill. I think it's something we need to seriously look at, and I would encourage all the members in this House to think very hard about the regularity of these omnibus pieces of legislation that are coming in front of us.

I think too that we need to consider what has come out of the so-called Red Tape Commission. When the Red Tape Commission was created, I think people did think it was going to remove red tape and work toward removing barriers to doing business in this province. But what I think we've seen come out of this Red Tape Commission is an unprecedented dismantling of legislation and an unprecedented dismantling of government ministries and responsibilities that government ministries need to bring forth in ensuring that the rights of Ontario citizens are protected. What we've seen come out of the Red Tape Commission—and we're seeing it in front of us this evening with the legislation—is that more and more the rights of Ontarians are being lost, are being taken away by this government.

I think it's a sad day for us as legislators to have to witness this unprecedented use of omnibus legislation and the strong arm of the Red Tape Commission to dismantle legislation and dismantle government ministries—more important, legislation that has been in place over the years to protect people. What we're seeing with this legislation—and I'll speak to some of the specifics in it this evening—is that the rights and the protection of citizens of Ontario are once again being stripped away by the Harris government.

I think something Ontario citizens need to realize is that as government we do have a responsibility to make things better.

Interjections.

The Acting Speaker: Order. It's getting a little loud in here. The member is not that far from me and it's difficult for me to hear what he's saying, so I would ask members of the House to please give your attention to the member who has the floor. Please resume your debate.

Mr Peters: Thanks, Speaker. I had some coaching on speaking and I was told that I need to tone down my voice while I'm in the Legislature. I'm trying very hard this evening to do exactly that.

There is a responsibility on us as legislators to look after the rights of Ontario's citizens and to protect Ontarians, and we're seeing that stripped away more and more by the Mike Harris government. We've seen what's happened as a result of changing the way government does business, privatization of government services. We've seen that at first hand in what's happened to the environment in this province. The protection that governments and individuals put in place over the years has been taken away by this government. We've seen too—and we're witnessing it again in this legislation in front of us tonight, Bill 57—the government once again, under the guise of the Red Tape Commission, ramming through changes—changes, though, that the average Ontario citizen (a) is not aware of but, I think more importantly, (b) has not been asked if they agree to.

This is another legacy that the Harris government is going to leave behind for Ontario's citizens: a serious lack of consultation. One of the things that I think is of utmost importance—and it should be to everybody, all 103 members of this Legislature—is that not only are we responsible for creating legislation, but there is a responsibility on every one of us to make sure we take that legislation out to the people and make sure the people are aware of what's in the legislation. Again, we're seeing this not happen with this government.

I heard a speaker earlier talking about how the boat isn't leaking from the bottom any more; the water is coming in from the top—something along those lines. You know what's happened with the Red Tape Commission and omnibus legislation? You've poked so many holes into so many government ministries in this province that the damage you have done probably isn't visible right now, but we've seen some of the repercussions of your so-called red tape cutting with what's happened in Walkerton by the privatization of water services. You're not patching holes; you're creating holes. You're sinking this province. But I think more important, maybe not for any one of us here in the Legislature this evening but for future generations, the damage that you are doing—some of you will probably be in your graves, but I hope that you start to think a little harder about what you are doing to people in this province.

As we look through this omnibus piece of legislation that's in front of us this evening, let's look at schedule G, the Ministry of the Environment. They're expanding the prohibitions on providing false information to the Ministry of the Environment. I think that's good. That's a positive step. But the problem is that you've decimated the Ministry of the Environment, you've cut 40% of the inspectors, you've cut the budget of the Ministry of the Environment.

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When you look at the new inspectors you've hired and you start to review Job Mart, these aren't permanent positions; they're contract positions. You can do what you want to change legislation and say you're doing a better job of protecting the environment, but you're not putting your money where your mouth is, and that's in the area of enforcement and in the area of the resources that need to be there to ensure that a government ministry can run efficiently. That hasn't happened, and that's the sad track record of this government.

Let's look at schedule K, on the Lakes and Rivers Improvement Act. The operation and maintenance of dams would be expanded to include the safety of dams, transferring that from the Lieutenant Governor to the Minister of Natural Resources. Do you know what this government has done to dams in this province? You've let them go. You decimated the budgets of conservation authorities, who are largely responsible for the maintenance of these dams. But you've also decimated the capital dollars that are out there for dam improvement.

I was privy to a report that was leaked, fortunately, that showed the extent of the dams in this province and in particular the lack of capital maintenance that has taken place on these dams since 1995. The speaker earlier on talked about plugging holes. Well, I'll tell you, I hope you're all there with your little fingers, plugging the holes in the dams around this province because of the way you've neglected them.

I credit the member from Waterloo-Wellington for standing up to your government regarding the Conestogo dam. That's the first time I've heard a member from the government stand up and say you guys have done something wrong regarding the maintenance of dams in this province. I think it's a serious issue and a serious threat to public safety, how this government has abandoned the conservation authorities, and how this government has abandoned the capital costs that went along with the maintenance of these dams.

Again, this is one of those issues that maybe we're not going to see happen today or next year, but it's going to start to happen five years down the road, 10 years down the road, and the responsibility has got to lie, and will always lie, in the hands of Mike Harris and his government because of the way you have seriously underfunded the conservation authorities and dams in this province.

There are some good things: the amendments in the Ministry of Transportation dealing with operating a vehicle while being pursued by a peace officer. That is added to the list of offences in the act for which a person's driver's licence can be suspended on conviction. I think this is the kind of thing we need to do that is ultimately going to help ensure the safety of our public. We've seen—we've witnessed at first hand across the province—what happens in these police pursuits. The drivers have caused death and serious injuries to people across the province. This, hopefully, will add a little bit of encouragement to show these perpetrators that it's something that's not going to be accepted by government.

With omnibus legislation you can go through and find things in it that are good. But what the Harris government is so famous for is sliding in something else. There have been a number of pieces of legislation that have been before us, as legislators, that I myself would have supported aspects of in the past. But this government has this nasty habit of clouding a piece of legislation, having a piece of legislation in front of us with numerous good initiatives but then clouding it with something that is going to dismantle something people have worked hard for in this province.

At this time I need to talk about some of the serious things in the legislation that's in front of us this evening, and that's schedule I, the amendments proposed by the Ministry of Labour. Here again we have included in this omnibus piece of legislation items dealing with occupational health and safety issues that people have worked hard for over the years, that people have lost their lives for, that people have been injured for on the job. People have made great strides since this province was created in

1867, the efforts of countless individuals over the years to bring forth improvements. Instead of trying to bring forth legislation that sets us moving forward in the right direction for the 21st century, this government is taking us back to the 19th century. I think that that's extremely sad.

Let's look at some of the issues dealing with the Occupational Health and Safety Act. Let's start with the repeal of subsection 47(7). Right now in the province of Ontario, workers have the right to refuse unsafe work. They have the right to have that workplace investigated by a Ministry of Labour inspector, and they have the right to be there during that inspection. But this new amendment that's put forward is going to allow an inspector to investigate over the telephone, and not even one of these newfangled telephones that has a video screen on it so you can see what's going on. No, we're going to use an 1876 Alexander Graham Bell telephone for a ministry inspector to investigate a workplace. It's ridiculous.

How can you say you're standing up for the rights of people? You're not standing up for the rights of people; you're going backwards with this. It is amazing that an inspector could actually make a ruling on a hazard without actually seeing it. Come on, give me a break.

Repeal of section 36: right now, the Occupational Health and Safety Act says that employers must keep an inventory of hazardous substances in the workplace, and they must provide public access to this inventory. But do you know what? This section in Bill 57, our famous piece of omnibus legislation here tonight, repeals that. What's sad is that this means workers, public health inspectors, employees and fire safety officials are going to be denied access to information on hazardous materials.

We already see how hard it is—we've witnessed this week how hard it is for the average person to gain access to information in this province. But what you're doing here is playing an extremely dangerous game. You're playing with people's lives here. You're playing with people's lives, not only of those individuals working within that workplace, but the individuals such as those in our fire departments in this province, who are charged with the responsibility of protecting us and looking after public safety. Right now, you're putting firefighters at risk, and we've already seen countless times how you've put firefighters at risk across this province. You've just added another one to the table with this piece of legislation.

Repeal of section 34: currently, an employer must notify the director of health and safety if they bring a new chemical or biological substance into the workplace. They must provide information as to what is contained in this new substance. But do you know what? Bill 57 removes those requirements. Right now, the director can order an assessment of any new substance he or she suspects could be hazardous. But this bill strips the director of that power.

Repeal of subsection 52(1): right now, employers must report accidents to the health and safety director within

four days. The amended law would require this only if the inspector is notified. Come on. We know that right now inspectors rarely investigate minor accidents. These accidents are rarely reported. But you're taking it a step further. The director is not even going to know about dangerous workplaces until something happens.

Repeal of subsection 57(10): presently, health and safety inspectors in the province of Ontario must provide copies of their reports to workers who file complaints. The amended law would only require an inspector to provide a report upon request. You know what's not included in this? My gut tells me that if you want a copy of this report, you're probably going to have to pay for it.

You're famous for user fees. You talk about your tax cuts, but you don't look at all the countless user fees you've downloaded to municipalities and to citizens across this province. Now, dealing with health and safety issues in the workplace, if you want to get a report on an incident, you've got to request it. They didn't include it, but you're probably going to pay for it too.

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Then there are the codes of practices, a new section that's being implemented. This would give power to the deputy minister to accept codes or standards developed by industry representatives as the law of the land, simply by saying so. This would allow employers to ignore current legislation by following a standard the deputy has accepted.

Here we are with a piece of legislation that's quickly going to move through the Legislature, a piece of legislation that probably—I would lay odds, good odds—the government will invoke time allocation on. But I think the saddest thing to the citizens of Ontario and to the employers in this province is that other than our trying to raise this issue here within the Legislature, you're not going out to the public, you're not taking this on province-wide consultations so that the public could have some insight into what is going on.

The legacy of the Harris government: we've seen that legacy being left already and we know what the legacy is going to be down the road. I think all of you should think very hard about your support for this legislation, but more importantly, about what you're doing to the citizens of this province.

The Acting Speaker: It is now time for questions and comments.

Hon Mr Young: Let me start by acknowledging the remarks of the member from Elgin-Middlesex-London, in which he took some time to comment on Bill 57, which is in front of this assembly. It is indeed a bill that affects various aspects of government. It is a bill that, in my respectful opinion, would be properly viewed as a good-government-type piece of legislation. It's the sort of thing that government must do from time to time, on occasion, to ensure that they have governed well throughout the province, not only on matters that are immediately under their control but also on matters beyond their immediate control.

I look, as I open the bill to the very first page, at a number of matters that relate to the ministry I have the privilege of being involved in, being the Attorney General. I see various provisions that deal with, for instance, the Architects Act, a change that has come about by reason of the fact that there are many within this province who don't want to see the sort of difficulty experienced within Ontario that has been experienced within British Columbia dealing with leaky condominiums.

As a result of that, there is an initiative under way to ensure there is sufficient insurance in place in the name of architects to ensure that, should there be some difficulty with condominium projects, places where people often invest their life savings to buy a unit, there will be indemnification in due course, that that will be available. There is nothing sinister or evil as a result of this initiative. In fact it is, on behalf of the people of this province, something that it is most reasonable to do.

I look, in the same section, at what initiative has come from the same ministry dealing with the Public Guardian and Trustee Act—

The Acting Speaker (Mr Bert Johnson): Thank you. Comments and questions?

Mr Caplan: I want to congratulate the member from Elgin-Middlesex-London for his comments. I think they were very appropriate to this debate. This act covers a lot of ground. Maybe I'll pick up where the Attorney General left off. There are perhaps many laudable parts of this bill. Allowing architects self-insurance—there is nothing offensive about that. There is nothing in that section that should delay passage. However, there is a lot more to Bill 57 than just that one section. That was what my colleague from Elgin-Middlesex-London was talking about. I know he spent most of his time on the areas proposed by the Ministry of Labour, but there are some very interesting ones as it relates to tenants.

I would just read into the record—perhaps I'll have a chance to expand on this a little bit later—that the Ontario Rental Housing Tribunal will be allowed to hold written hearings on annual guideline amounts without requiring the various parties to serve all the documents on each other. That's a pretty fundamental change to the way the tribunal operates now.

There's a lot more in here as well. Landlords will be entitled to receive compensation for unauthorized parties who are in a particular unit, and that's a very interesting one. I know this has happened to my family. When my wife and I were first renting, my sister-in-law moved into the neighbourhood and needed a place to stay. She stayed with us for a few months. It wasn't authorized by the landlord, and it's a very common kind of arrangement. Does there now have to be compensation to the landlord because we took my sister-in-law in for a few months? That's a significant change in public policy. It's a significant change in people's lives.

What does any of that have to do with an act to promote government efficiency? I think that's the question the member from Elgin-Middlesex-London legitimately raises.

Mr Howard Hampton (Kenora-Rainy River): I think what is most relevant and germane here is that the government would title the bill the Government Efficiency Act, and in that bill would try to do away with important elements of protecting workers' health and safety, and would try to do it in such a way that it escapes public scrutiny and debate.

I think the member from Elgin-Middlesex was quite correct in pointing out that we are dealing with some fundamental workplace health and safety issues, and those issues deserve to be debated by themselves. We are talking about people's lives. We're talking about people's safety in the workplace.

For the government to simply say, "Oh, this is just a matter of government efficiency," seems to me to be saying that the government doesn't think it is efficient to protect workers' lives, that the government doesn't think it's efficient to require employers to produce lists of hazardous substances in the workplace, that the government doesn't think it's efficient to require employers to report accidents to the director of health and safety in the Ministry of Labour, that the government doesn't think it's efficient to require employers to report when they introduce new chemicals or new biological compounds into the workplace that may be dangerous.

I can only gather from this that this government doesn't think it's efficient to worry about the safety of workers, to worry about the lives of workers and to take the preventive steps to make sure they don't lose their life or that they're not subjected to undue harm.

Mr Wettlaufer: I listened very attentively to the member from Elgin-Middlesex-London in his speech. He talked a lot about the legacy of governments. I would like to take him back 16 years to 1985, between 1985 and 1990.

Let me talk about the legacy of the Liberal government. The spending of the Liberal government increased almost 100% over the course of five years. The Liberal government said they balanced the budget, but of course the NDP, when they came to power, realized that budget wasn't balanced. This government of the Liberals, between 1985 and 1990, was a government that increased taxes 63 times, I believe it was.

Hon Frank Klees (Minister without Portfolio): Sixty-six.

Mr Wettlaufer: Sixty-six times. That was the start of the brain drain from this province.

I was in Bermuda a few months ago and I was talking to 1,200 accountants who went down from Canada. I asked those accountants when they were going to come back home, because their contracts are coming up. They said they weren't going to come back because the taxes were still too high. That started under the Liberal government. The NDP continued the bloody thing.

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It's nothing short of ludicrous to suggest that our government would put the health and safety of workers at risk. It is ludicrous. It is—I can't say it because it would be unparliamentary. I cannot believe that any member in

this House would make such an allegation. I honestly can't believe it, but I will say this much: the legacy of this government is going to be one that is a heck of a lot better than the Liberal or the NDP, because we gave a lot of young people a lot more opportunity.

The Acting Speaker: The member for Elgin-Middlesex-London has two minutes to respond.

Mr Peters: I want to thank the member from Willowdale, the member from Don Valley East, the member from Kenora-Rainy River and the member from Kitchener Centre, and I want to weave through some of the comments that have been made.

The member from Willowdale talked of good government legislation. Well, good government legislation puts people first and ensures that there's protection for the people. This is not good government legislation. It's not good government legislation because, as the member from Don Valley East pointed out, there is a tremendous number of hidden details in Bill 57, a legacy that this government is going to leave behind of the damage they're doing to the Occupational Health and Safety Act and so many other things.

Another thing you can weave into this good government legislation also ensures that there is public scrutiny and public debate, as the member from Kenora-Rainy River pointed out. That is non-existent in this legislation.

The member talked about the legacy of previous governments. I've had the opportunity as a municipal politician to work under three governments and I can tell you that the Harris government is the worst government to work under.

Interjection.

Mr Peters: Pardon me?

Hon Mr Klees: I said, "Oh, shucks."

Mr Peters: I thought you said something else, unparliamentary.

The member talked about legacies. You talk about legacies and going to Bermuda to visit your accounting friends. Why don't you go to Texas and visit my friend Lucha, who went to Texas to do her nursing down there. Lucha is one of the 10,000 your government scared off. You talk about brain drain; you're causing it.

User fees are another legacy. You've talked about tax cuts, but the user fee increases—

The Acting Speaker: Thank you. Further debate?

Mr Wettlaufer: It's really interesting to hear the member opposite talk about going down to Texas. Guess what? I did last year, and you know something? The laughter of some very good friends of ours is a nursing supervisor in Texas, and do you know when she went down? She didn't go down under our government; she went down under the Liberal government because of a lack of opportunity. That's when she went to Texas. Isn't that amazing? I love how they can talk out of both sides of their mouths at the same time. But then they straddle the fence at the same time too, so I wonder.

I want to talk about Bill 57. I really am pleased to speak in support of the Government Efficiency Act and the potential benefits of the bill for all Ontario residents;

not just young people, to whom we are dedicated, but also to seniors and to middle-class, hard-working Ontarians.

Bill 57 is proposing measures that reduce paperwork. Why is that important? Well, the paperwork burden on businesses takes away from the entrepreneurial spirit. We will reduce that burden to support entrepreneurship, promote economic growth and protect public interests in many areas.

Our government believes that Ontarians deserve adequate protection in areas where rules are deficient. When the Minister of Consumer and Business Services introduced Bill 57 for second reading, he made the point that the Government Efficiency Act would increase protection for some stakeholder groups from potentially unfair rules. He mentioned the Tenant Protection Act and the Children's Law Reform Act. Those are but two examples of fair rules that will better protect members of the public.

Public safety is also an important feature of this bill. For example, my colleague from Peterborough mentioned that public safety would be increased thanks to an amendment to the Highway Traffic Act. His name is Gary Stewart, the member for Peterborough. He mentioned that the amendment to the Highway Traffic Act would make it mandatory to suspend the licence of a driver fleeing from the police. Is that not a commonsense approach? I believe it is, and I believe that Ontarians will agree with such amendments that will increase protection through fair rules.

The government has listened to the voices from the public and from businesses that called for fair rules and efficient and easy-to-understand services.

There is no doubt in anyone's mind, not even the members opposite, that in the last six years Ontario has experienced one of the most impressive periods of economic growth not only in the history of the province but in the history of the whole country. This was done in large part because of the creativity and drive of small business.

Mr Dwight Duncan (Windsor-St Clair): Let's hear it for Paul Martin.

Mr Wettlaufer: The member opposite wants to thank somebody other than small business. He wants to thank a government outside this province. Let me put it to you straight, member from Windsor-St Clair: small business has driven the economy of this country for the last six years. Small business creates 80% of the jobs in this province. Small business relied on us to eliminate some of the red tape. They relied on us to create an environment in which they could create jobs and reduce their taxes.

When we took office six years ago, we recognized that taxes were too high, bureaucracy was too big and red tape was strangling the initiative and innovation of business people, particularly small business. I don't see them clamouring for any increase in taxes. I don't see them running to the door of the Liberal Party and saying, "Please, please increase our taxes."

Our program of lower taxes, balanced budgets and elimination of unnecessary red tape has restored economic health and prosperity to the province. Nobody would argue with the fact that we must continue on this road, that we must continue to exercise vigilance and remove barriers to growth wherever they exist. That's why it is important to develop an environment conducive to job creation, to get rid of rules that are unfair and to prevent the buildup of unnecessary red tape.

With this Government Efficiency Act, we are continuing the work our government started six years ago. We are doing it because this government understands the enormous contribution that small business makes to job creation and because it understands the need for the public to have clear and consistent rules and regulations.

Mr Speaker, I'm sure you'll remember that when we came to power in 1995, we came to power with a promise that we would create an environment that would create 725,000 net new jobs within five years of our taking power. I can recall the Liberals opposite, specifically the member from Scarborough-Agincourt, standing up in this House, month after month, saying, "You're not on target." Well, he should have understood that there is such a factor as economic lag. It takes time to create the jobs after the environment we had in the 10 previous years. Suddenly we stopped hearing from him. Why was that? Because we suddenly were on target to create those 725,000 net new jobs. In fact, we exceeded that target and in the last six years we have created an environment in which 848,000 net new jobs have been created—not bad considering that the Liberals and the NDP opposite never want to give this government credit for anything. Business appreciates it and so does the average worker. The average hard-working Ontarian in this province really appreciates the fact that he or she has a much better job, a much better opportunity for advancement, a future for their families that they can now rely on.

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The government has introduced a host of changes over the last six years aimed at solving the aching problem of excessive red tape. It is a long process but we are keeping up the fight and we will continue to do so. We have seen some evidence that we are on the right track, in fact, that we are leading the way. A recent study by the World Bank has indicated that the Ontario jurisdiction—get this now—is the one where businesses face the least ordeal and barriers when starting up. I repeat that for the members opposite: it is the one jurisdiction in the world where businesses face the least ordeal and barriers when starting up. This is the effect on small businesses that our policies have had, the ones that create 80% of the jobs in this province. We want to extend that success to all levels of business and to all residents of Ontario.

There are many other changes in this bill designed to improve customer service and streamline government operations for greater efficiency. One of them is the amendment to some environmental statutes. This bill would make it an offence for anyone to give false information to the Ministry of the Environment or its

employees or its agents under several environmental statutes.

There is a reason why it is necessary to add third parties to the list of those to whom it is an offence to provide false statements. For a number of years, the Ministry of the Environment has recognized the need to work with others to find practical, cost-effective ways to strengthen environmental protection programs. For example, new innovative approaches have been developed and have made it important to ensure that accurate information is provided to those partners involved in delivering the environmental protection program. This proposal will help strengthen the enforceability of such environmental protection programs.

For instance, the Ministry of the Environment Drive Clean program is delivered by several third-party contractors. They act to fulfil requirements set by the ministry but they are not considered to be crown agents. Test facilities require accurate information about the motor vehicles to be tested, such as the identity and address of the owner and various other details about the vehicle. Additionally, these facilities do not submit test results directly to the crown but to another contractor. That contractor then maintains the database for the program. As the Ministry of Transportation relies on this database in making licensing decisions, it is clear that information submitted to the database must be accurate.

While it is anticipated that most of these situations can be addressed by the general language in the act, this proposal also includes the power to make regulations so that partners involved in the delivery of programs can be clearly identified.

The bill also contains an amendment to authorize the Minister of the Environment to establish and require the payment of administrative fees in respect of matters under the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act. The ministry has addressed the concerns of the public and the regulated community by making a commitment to ensure adequate public consultation and accountability for future fee-setting initiatives. All fee changes established by the new powers of the minister would include thorough public and stakeholder consultation, including posting on the Environmental Bill of Rights registry, in addition to receiving appropriate government approvals.

The regulated community and the public were informed of this commitment from the Ministry of the Environment to undertake adequate consultation on future fee-setting initiatives through the posting of the proposal on the environmental registry for 30 days, ending March 14, 2001.

It is necessary to replace regulations for fees with general provisions in order for the minister to establish fees. It is a question of fair rule, fair practice and consistent government policy. The proposal is in keeping with this government's commitment to improve efficiency by replacing regulation-making powers with a minister's authority to set and collect approved administrative fees. Other ministries use similar fee structures.

The Ministry of Natural Resources uses it in the Aggregate Resources Act. It is used in 23 acts administered by the Ministry of Consumer and Business Services.

There are amendments to the Crown Forest Sustainability Act.

There is one other item I want to discuss that is part of Bill 57. That is a private member's bill I introduced on May 7. It is Bill 40 and it addresses a hiatus amendment to the Family Responsibility and Support Arrears Enforcement Act, 1996. The purpose of the amendment is to clarify that arrears that have accumulated between the time a support order is withdrawn from the Family Responsibility Office up to the point where the order is subsequently re-filed are enforceable by that office.

Under the act a support order can be withdrawn from the Family Responsibility Office if both the payor and recipient agree in writing to that withdrawal. There is also provision under the act that one of the parties can opt back into the Family Responsibility Office. This opt-back often occurs where the payor defaults on the support obligations set out in the order.

The period between the initial opt-out and opting back into the Family Responsibility Office is commonly referred to as the "hiatus period." The Family Responsibility Office has always enforced arrears incurred during the hiatus period and the courts historically have allowed them to do that. However, in the winter—I believe it was in January—a Divisional Court decision held that the Family Responsibility Office did not have the right to enforce hiatus arrears. Leave to appeal the decision has been granted by the Court of Appeal, but that appeal is not likely to be heard until the fall of this year.

What this did was put the mother and her child at a severe disadvantage in that if the Family Responsibility Office was unable to collect those arrears, how was that child going to be provided for?

I introduced my bill on May 7 and it has been incorporated into this bill. The proposed amendments would clarify that if an order is re-filed after a withdrawal, all arrears that have accrued during this hiatus period are enforceable by the Family Responsibility Office, as would be the case with any other filing of a support order with the Family Responsibility Office.

We are serious—very serious—about ensuring that as much money as possible gets to those who are entitled to it, and we want to make sure those arrears are paid to those who count on them. At the same time, the government is committed to minimizing any undue financial hardship for both recipients and payors.

In total, there are more than 120 items from 15 ministries in this bill, and the majority of them are improvements to government that will help the province to govern efficiently and effectively, while achieving regulatory excellence and facilitating economic productivity and prosperity.

These amendments are intended to remove unnecessary barriers to economic efficiency, to eliminate conflicting rules within various acts, or to eliminate various regulations that are outdated or were not well enough

designed to protect members of the public. Those amendments would replace regulations that are becoming an obstacle to achieving the economic and social well-being of the people of Ontario. With the Government Efficiency Act, 2001, the government wants to preserve and advance the interests of the public through better services and fairer rules.

This is an important bill for Ontarians and for the future of the province, and I urge all members to support it.

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The Acting Speaker: Comments and questions?

Mr Hampton: I listened to part of the address by the member opposite. Let me go back to what I'm going to refer to time and time again in this legislation.

I wonder if, in the time remaining, the member who speaks so glowingly of his government can tell us why this government would interfere with important sections of the Occupational Health and Safety Act; why the government would do this without any consultation; why the government would do this without any opportunity for widespread public hearings; why the government doesn't think it is important enough to ensure that, where there is a refusal to work because of an occupational hazard in the workplace, it's necessary to inspect it; why the government doesn't think it is any longer necessary for an employer to maintain an inventory of hazardous substances in the workplace; why the government doesn't think it is important any longer for an employer to notify the director of health and safety for the province when introducing new chemicals or biological agents, and to give information about the ingredients of new chemicals or biological agents before they're introduced into the workplace; and why the government doesn't think it's important for an employer to report accidents to the director of health and safety within four days.

Those are all important elements of protecting workers' health and safety in Ontario's workplaces, yet the government proposes to take them away, proposes to do away with them in the midst of an omnibus bill, without public hearings, without consulting anyone out there in workplaces, in the labour movement or even their own health and safety inspectors. Maybe, on behalf of the government, you can tell us why those things aren't important enough for the government to actually hold hearings or consultations on them.

Mr James J. Bradley (St Catharines): I worry about this bill because it reminds me very much of the way the Red Tape Commission dealt with Walkerton, with the Ministry of the Environment and some of the testimony that took place. That's what's very worrisome about this, because we had some of the same assurances then.

If you listen to that particular instance, Dr Richard Schabas, who is the medical officer of health for the province of Ontario, wrote a memo to his minister, Jim Wilson, who then wrote a letter to Norm Sterling, who was the Minister of the Environment, warning that since the government had abandoned, closed down, the Ministry of the Environment laboratories for the purpose

of water testing—those laboratories, you remember, used to directly notify by practice the medical officer of health if there was any problem with the water. So we have that situation where he gives a warning, one minister writes to another minister, and the minister writes back and says, "Look, don't worry. Everything is OK." There are always people to assure you of that.

Where I get to this bill is where you have substances that could be dangerous in the workplace, and the access to those substances. I know the government will say it's duplication, but it's very dangerous that fire departments, municipalities and individuals in the workplace do not have access to the information about these dangerous substances so that they know how to react in case there is an explosion, a fire or some kind of occurrence that takes place—even a flooding within the workplace.

When I listened to what happened in Walkerton and watched how the government ignored completely very straightforward, bold, clear recommendations and warnings, I get worried about legislation such as this where they want to make a change that will diminish what's called the right to know for workers and others about substances in the workplace.

Ms Marilyn Mushinski (Scarborough Centre): I'd like to thank my colleague, the member for Kitchener Centre, for what I believe to be such an articulate expression of support for a bill that quite clearly continues the government's agenda of creating jobs by cutting red tape.

It's always curious when we hear the opposition rebut such strong arguments for a bill that will create a very strong economic environment in this province. It's always curious to hear their somewhat bizarre reasons for opposing such an overwhelmingly supportive bill. I would suggest that perhaps we should direct them to the title of the bill, which clearly spells out the purpose of this government's direction in everything we do. The title of the bill is An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts.

It's interesting. I know my colleague addressed the track record, the abysmal track record, of the previous two governments, the 10 lost years when we saw, I believe, 65 tax increases by the Liberals and 69 tax increases by the NDP governments of the day. I can certainly recall the—

The Acting Speaker: Thank you. Comments and questions? The Chair recognizes the member for—

Hon Mr Klees: It's the member for Oak Ridges, Speaker.

Mr Bradley: For the moraine?

Hon Mr Klees: For the moraine, the Oak Ridges moraine.

I'm pleased to recognize the comments made in his remarks by my colleague from Kitchener Centre. He so rightfully reminds us of what this province was like just a few short years ago.

I was just recently in a meeting in Richmond Hill, with our chamber of commerce there, and we spoke at

some length about the economic environment prior to 1995. The member for Kitchener Centre referred to that. It was a time when businesses were leaving our province, it was a time when jobs were leaving, it was a time when investment was leaving this province, and people were frustrated. They were worried about the future. In fact, during those times, transportation wasn't a problem. There was no gridlock on our highways in those days because there were no jobs for people to go to.

It's a different world today, in a very positive sense, and it is because of our government's agenda to reduce red tape. This bill being debated tonight continues to make life easier for people who have invested their capital, their equity, in a business to create jobs. What members opposite seem to forget is that jobs come only when someone invests in a business. People will stop investing if the agenda is of over-taxation and red tape.

We are committed in this province to continue to make it easier for businesses to do business, to create jobs, to invest, to contribute to the quality of life. Social services are not possible without good jobs and without strong revenue flow, so this makes sense not only for the quality of life but for jobs in Ontario.

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The Acting Speaker: The member for Kitchener Centre has two minute to respond.

Mr Wettlaufer: I'd like to thank the members for Kenora-Rainy River, St Catharines, Scarborough Centre and Oak Ridges for taking part in this. It's almost laughable when the leader of the third party, the member for Kenora-Rainy River, stands up and talks about lack of consultation. He was in the cabinet of that government—

Ms Mushinski: No. Say it ain't so.

Mr Wettlaufer: Yes, he was in the cabinet of that government when they passed the social contract, and I recall that there was no consultation. There were no public hearings, no opportunity for public hearings. I just cannot understand how he can stand in his place and make a comment like that, knowing full well what his government did.

As far as the Liberals are concerned, I have stopped paying attention to anything they say. For six years all I've ever heard—any time we introduce a bill here, they stand up and say the sky is going to fall—Chicken Little. But just because they say the sky is going to fall doesn't mean the sky is going to fall. Everything they predicted would happen as a result of legislation we've passed in this House in six years has not come to pass. The legacy of the Liberals is one of absolute confusion, one of spending, one of increased taxes, and you want to sit down there in your place and lecture this government about the opportunities we have given Ontarians.

The Acting Speaker: Further debate?

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I rise to make some comments about Bill 57, the nomenclature of which reminds me of those heady days in the old Soviet era where the nomenclature—

Interjections.

Mr Conway: Well, it is. I think 25 and 30 years from now, I say to the dyspeptic member from Huron, people are going to be embarrassed by some of this nomenclature, but in a free and democratic society one has the right to be embarrassed.

I want to agree with the previous speaker in one respect. I think it is not fair to say that the contents of Bill 57 have not been widely canvassed, because I think they have been. I think Bill 57 has been assiduously canvassed with the special-interest lobbies. I look at Bill 57 and say to myself, "Boy, this is a fundraiser's heaven, all over the place."

By the way, I want to say, as somebody said earlier tonight, that this is not all bad. There are scads of changes—some big, some small, some in between—and it would be a miserable, hateful person who would say that everything in this bill is bad, because it's clearly not the case. What is the case is that this Legislature hasn't the foggiest notion of most of what's in here. Not only does it not know, but, as is increasingly our wont, we don't appear to care either. It seems to be entirely inadequate to stand up and mouth and cheer some of the most shopworn bromides that any of us can recall.

Look at this bill. Look at it: page after page, section after section—an amendment to the Architects Act. We are giving the certified general accountants the right to practice with a limited liability partnership, probably a good thing. I bet you that's helped fill a few fundraisers for Frank Klees and Mike Harris and lots of other people. The Architects Act, the vintners act, the Employment Standards Act, the Ministry of Labour Act—make no mistake about it, colleagues, because I don't assume that you're all just innocents from some cartoon strip; this is the stuff of serious successful fundraising, and we all know it. Increasingly, our politics here are becoming like that sport called water polo: don't believe any of the action above the waterline; it's only when you get a look at action with that submarine camera, when you see the real action, the kicking, the punching, the clawing underneath the waterline, that you get a sense of the true context of this.

I was interested, for example, because I was talking to some constituents not too long ago about the operational behaviour of the office of the public trustee. Does any of us really claim to understand what these administrative changes with the office of the public trustee—there are several in here—mean to ordinary Canadians living in Ontario? I don't. Maybe they're good.

Members, certainly on this side of the aisle, have made plain their deep-seated and, in my view, very justifiable concerns and objections to changes in that schedule of the bill that deals with occupational health and safety, and I think those arguments have been well put.

I want to spend a few moment talking about schedule 2 of the bill, which concerns the amendments to the Electricity Act. By the way, at least in one respect, those are good changes. We are actually giving the energy board some teeth to discipline and penalize bad actors—

and there are many at work, as we speak—in the marketing businesses around electricity and gas. That's a good thing. My question is: are there any resources at that police force to make this meaningful? I don't know, but let me be clear: that section of this bill which has to do with those amendments to the Ontario Energy Board Act, 1998, appear to me to be, in principle, good. Are they going to be efficient in the sense that they will actually deliver on the goods expected? I don't know. I hope so.

I chuckle at the other section of schedule F having to do with the Electricity Act, because I ask rhetorically—and I'm one of the members who is paid a good salary to try to understand the electricity business. I look at this and notice that we are amending the Electricity Act, 1998, so that "a person may apply to the IMO"—the independent market operator, the new referee for this electricity marketplace that's supposed to be opened up next year, and under this provision of Bill 57 we propose to give an exemption to certain people from "any provision of the market rules." Does anybody in this Legislature know what that means? I don't. I suspect it is significant.

But it's almost laughable that we come here and beat our breasts and say, "Well, we have put on the front of the bill the declaration that this is an act to promote government efficiency." Who could be opposed to that? I'm not. But are we so foolish, are we so willing to insult our own intelligence and the intelligence of this general electorate to suggest that, just because we've said it, it's axiomatic, it's got to happen?

In schedule F, what are we doing? I suspect we're doing something important. It may be good. I don't know. And you know what? Nobody here knows, and apparently we don't need to care, because we stand, automaton-like, beat our breasts and say, "Hallelujah. We proclaim an act to make the government efficient, and when we're finished with this, we've got another one. It's called Bill 46 and it's about public accountability. We're going to make our transfer partners toe the line. They had better be more efficient and more accountable."

But as my friend Bradley has observed, what about us? What about those difficult, trying evidentiary data that suggest that some of the rhetorical flourishes of yesterday have produced something other than advertised? Regrettably, I want to say to my friend from Kitchener, it is on your watch and it is part of your legacy that seven Ontarians died at Walkerton.

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The ultimate culpability for that will, of course, rest with the findings of the O'Connor inquiry, but as Mr Bradley from St Catharines has been rightly observing, we have now some evidence: the Schabas letter, the Wilson letter, couldn't be clearer four years ago.

I asked last night and I'll ask again, have we got any responsibility? What happens when this efficiency train runs off the track? Is anybody interested in accepting any responsibility? The rhetorical flourish, God knows, I can say it more easily than anyone. That's the easy part.

I repeat, there are ingredients of this bill that I am sure are good, and I'm sure I can find scores of lobbyists who will tell me privately, off the record, how hard they worked in consultation behind closed doors, with an entry fee of probably \$500 a half-hour, and how meaningful that consultation was. But this Legislature, seriously involved, truly accountable. Surely you jest. "Ask for whom the bell tolls." Clearly and sadly, I'm afraid it tolls for us, as some kind of deliberative, responsible body for all of this done in our name.

Mr Bradley: The first note I would like to bring before the House is the fact that what's unfortunate is that under the rules of the Legislature, rammed down the throat of this Legislature by this government, the member who just spoke, who in my view—I hate to embarrass him—is one of the most eloquent, thoughtful and certainly academically inclined members of this House, is confined to 10 minutes. We've had some speeches—including some of mine—that are 20 minutes that could be reduced to 10. I would always prefer to hear Mr Conway for an hour, let alone 10 minutes.

Let me touch on just one or two items, if I can, that he focused on that I think are important. One was what happened in Walkerton, Ontario, because I heard the same assurances. In the name of efficiency, in the name of saving money, in the name of giving a tax cut to the wealthiest people in the province, major, massive cuts were made to the Ministry of the Environment.

Laboratories that had served us very well, laboratories where drinking water was tested and where the results were back not only to the operator but to the medical officer of health, particularly if there was any particular problem, were closed down. Within a very short period of time—something like six to eight weeks—a new regime had to be put into place, but nobody ever set rules in place. As Dr Schabas and Jim Wilson wrote to Norm Sterling in their letters, no one ever put in place a regime whereby notification would go from the laboratory to the medical officer of health, who could then tell the people of the area what the problem was and take any necessary action.

The reason I say that—and I guess it's a bit repetitious of what the previous speaker said—is that we were given all the assurances by the Premier in this House that there were no consequences to that action. Dr Schabas, Jim Wilson and Norm Sterling have proved that not to be the case.

The Acting Speaker: Comments and questions?

Mr John O'Toole (Durham): I was temporarily out of the House but I was certainly doing work and I was watching the member from Renfrew-Nipissing-Pembroke, as I always do. He always has an entertaining and informative way of commenting on important government initiatives. I might say, my colleagues on this side are equally entertained by his comments. I particularly liked the reference to the water polo example of what's going on at the surface and what's going on underneath. I suspect we're so overt that it's transparent. People can

see that what we're trying to do is to eliminate barriers to opportunity for ordinary people.

I like to think of the Liberal policy bag as like a pinata: you poke holes in it and little toys fall out. Most of their solutions that I've heard over the last six years—and I think the member from Kitchener Centre said it earlier—have always been to increase taxes. It worries most people because they want stability. Clearly, our choice is to eliminate barriers to opportunities, to reduce taxes, to create a competitive environment for real people to execute their jobs.

There's no question this bill does a lot of things, but it does not raise funds. I want to contradict the member from Renfrew-Nipissing-Pembroke. In the abstract, what it does is listen to real people, small business, small enterprises that need to have certain regulatory changes made. This government is the government that listens and, the most important thing, responds. It has put to rest the water polo image and put in place an image of a pinata hanging from the ceiling and children poking things at it, wanting little things. Getting little toys falling out of it is how I'd like to leave the image of a wish list from all the people—

Mr Duncan: The member for Renfrew-Nipissing-Pembroke raised I think some very significant points about the nature of public debate in this Legislature and the importance of true accountability.

He spoke and referenced the size of the bill and the range of existing statutes that are affected by it. He spoke of the way in which changes to law and regulation are affected, the impacts and consequences of that. He indicated, I felt in a proper fashion, that for there to be true oversight on the part of this assembly we need to understand and debate the concepts in there, and even indicated that there were a number of parts of the bill that appeared on the face of it, from our perspective, to be OK, things on which probably all of us would agree.

I don't think anybody would disagree with the notion of more efficiency in government, for instance. However, the question becomes, what are the trade-offs? What price do you pay?

My colleague from St Catharines earlier in the evening, and again in responding to the member from Renfrew, noted that many of the changes that precipitated the crisis in Walkerton were parts of red tape bills, were done in the interests of efficiency and reducing red tape. Though members might like to make light of those sorts of things and talk about pinatas, I think it is incumbent on this Legislature, on all of us, to take seriously the business of oversight and to look at bills of this nature.

I say to the government, and I compliment my colleague for pointing it out, that if you are that proud and if you understand all parts of the bill, you could have broken it up, as was requested by both opposition parties, so that we could debate in an adequate time frame many of these substantial changes.

The member for Renfrew offers valuable insight. It is unfortunate that the government doesn't listen to that insight. It is unfortunate that we don't have an oppor-

tunity to have a meaningful discussion about this type of legislation.

Mr Hampton: Part of what I think the member, Mr Conway, tried to draw the government's attention to is the fact that buried within this legislation, which they try to call "efficiency," are a number of things which in fact take away people's rights, or put people's health and safety at risk, or are decidedly against the interests of some people in our society and decidedly in favour of someone else's interests. What is so objectionable is that the government is trying to do this with as little public scrutiny as possible, with little public debate, public discussion or indeed public awareness.

This is a government which has told us already that they're in favour of having a 60-hour workweek, and we see consequent amendments to the Employment Standards Act. If anyone is going to further try to inflict a 60-hour workweek on workers of the province, people across this province who are facing a 60-hour workweek at least ought to have the opportunity to have notice of this and have the opportunity to engage in some public debate.

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What the government is trying to do here tonight and trying to do through this bill is to make sure that doesn't happen—similarly, amendments to the Workplace Safety and Insurance Act. The government in fact imposes a two-year statute of limitation on some prosecutions. Guess which ones are going to be limited to two years? The limits on the individual liability of directors and officers. So, if you're a corporate boss, there's a two-year limitation period for prosecution—

The Acting Speaker: The member for Renfrew-Nipissing-Pembroke has two minutes to respond.

Mr Conway: I just want to make a final observation, and I'm sorry that none of the press is around tonight. I look at a bill like this and, as I say, there are undoubtedly things in here that are good and routine. But for every one of those, I'm absolutely convinced that there are five or six that really were bought and paid for by very focused special interests. I just wish we had a New York Times or a Washington Post or an LA Times that would take something like this and say, "Follow the trail." One of the reasons I like to read the quality American press is that in their more vigorous and transparent democracy they do this and it keeps both sides honest. We don't do it any more, or, if we do, we do it in a very incomplete way. We spend a lot of time on some welfare mother who didn't report \$10 worth of income and we make her the centre of all tabloid vigour.

But, as the member for Kenora pointed out, again, I can hear the Tory fundraisers singing hallelujahs, te deums praise, "This will fill the coffers." It looks so small and trifling, it does not attract the eye in the ordinary sense, but let me tell you it is the stuff that rings the till. I'm sure some of it may advance the public interest, but again I make the point: who knows? I just say look at schedule F, the stuff that I think I know something about. The piece about the energy board looks

good. The rest of it? I have my doubts. I don't know, nobody here knows, and apparently nobody much cares.

The Acting Speaker: Further debate.

Mr Hampton: With all the sections of this bill, with all the government's attempts to mishmash changes to the Workplace Safety and Insurance Board, to make changes to the Employment Standards Act, to eliminate certain rights and certain capacities under the Occupational Health and Safety Act, there is so much in this bill that is deserving of public scrutiny, public awareness and public debate. I'm not going to try to cover all, but I'm going to try to cover off what I think is the most serious problem with this legislation.

We know that in this province, since this government took office, the number of deaths in the workplace has started to accelerate again. For years in this province, in the late 1980s and early 1990s, we were actually having some success in reducing the number of deaths that happen in the workplace. We were actually starting to have some success in reducing the number of serious accidents in the workplace. But now, under this government—and this government boasts about it; they boast about it as efficiency—the number of deaths in the workplace is starting to increase again. The number of serious injuries where people are disabled for life is starting to increase in the workplace again. One would think that a government that truly cares about what's happening out there would pay some attention to that and would be interested in saying, "Why is that happening and what can we do to turn this around again?" But, alas, in this bill that they call the Government Efficiency Act, they are going to take away measures that have helped reduce the number of deaths in the workplace and the number of serious accidents.

I just want to refer to what they are. They are going to repeal section 43(7) of the Occupational Health and Safety Act, which required health and safety inspectors to investigate a work refusal at the workplace in the presence of a worker—not so unreasonable. When a worker feels that his health and safety may be threatened by something in the workplace and he or she says, "I'm not going to do this work. I'm going to demand an inspection," that's not so unreasonable. It's not so unreasonable to ask that a health and safety inspector come in and inspect the workplace and ensure that if it is safe, they certify that, and that if they find it's not safe, they take action. But this government's going to take that away.

As the law stands now, an employer is required to maintain an inventory of hazardous substances in the workplace: dangerous chemicals, dangerous biological compounds. This government is going to do away with that.

As the law stands now, it requires employers to notify the director of health and safety whenever they introduce new chemicals or new biological agents into the workplace and to give information about the ingredients in the new chemicals. The government's going to do away with that. At the same time they're going to repeal the power of the director of health and safety to order an assessment

of the agent, the chemical agent or the biological agent, where the director of health and safety is of the opinion that workers may be endangered by the use of the new chemical agent.

More people are dying in workplaces across this province and this government, in the name of efficiency, seems to want to further that unfortunate situation.

To tell you how serious this is, I'm going to quote from a letter from the actual health and safety inspectors. They work in the Ministry of Labour. They wrote this letter to the minister on June 11, just a couple of days ago. They say:

"We are writing you as representatives of health and safety inspectors seriously concerned about the adverse impact of the proposed changes to the Occupational Health and Safety Act introduced by Bill 57.

"As well, we are seriously concerned by the lack of consultation with inspectors during the process of formulating these proposed amendments. Indeed, many of us were surprised, and somewhat embarrassed, to learn about these amendments from our clients in the field."

These are the inspectors. These are the people who go out there and try to protect people's lives. They say:

"We have grave concern about the proposed changes to section 43(7) of the OHSA which will now allow an inspector to investigate a work refusal without having to be present at the workplace to examine the actual work situation. As health and safety professionals, we find this an absolutely unacceptable approach that perverts the basic tenets of good investigative practice and sound health and safety and industrial hygiene principles." The inspectors say this is subversion. "Such an approach will inevitably result in the tragic consequences that the lack of regulatory vigilance led to in the town of Walkerton."

They're basically saying that what this government is doing in terms of occupational health and safety is similar to what this government did in terms of cutting the Ministry of the Environment and cutting the number of inspectors, which led to people dying and becoming seriously ill in Walkerton. They're saying to the government, "Don't do this again. You did it in terms of water at Walkerton. Don't do this in terms of the hundreds of thousands of workers who work in workplaces that have risks—risks of harm, risk of death."

The government's not listening.

"From our experience," they say, "we have found that what seems like a minor health and safety problem from an over-the-phone work refusal report generally turns out to be much more serious when we are able to investigate the circumstances directly. Indeed, the ministry's own data will bear out the fact that the work refusal provision is used quite infrequently (a couple of hundred times per year) when compared to the ... contravention and stop work orders we issue annually."

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So in other words, they issue far more stop work orders, they see far more contraventions, than they see work refusals. But what's this government going to do? It's going to undermine the capacity of workers out there

to refuse work where they believe it is a threat to their life or their safety.

They point out a number of other problems with this legislation. They're saying to the government, "Don't do to workers' health and safety what you allowed to happen to the water in Walkerton. Don't undermine workers' health and safety in the workplace. Don't allow employers to bring new biological and chemical agents into the workplace without reporting it to the director of health and safety. Don't allow employers out there to have dangerous chemicals and biological compounds without keeping a list." These are basic things. They're so basic to people's health and safety, yet I gather the government doesn't think it's efficient to do these things. Otherwise they wouldn't be eliminating it in the name of government efficiency.

A number of people have made requests of the government. They've requested information of the government since they learned about this bill. One of the things they've done is asked the Ministry of Labour to disclose the actual number of health and safety field inspectors currently active out there. In other words, they've asked the government, "Tell us, how many health and safety inspectors do you have?" The government refuses to do that. The government is supposed to have 278 but we believe, from doing a number count out there, that it's less than 200. Is that what the government's up to? They don't have enough health and safety inspectors any more, so they're going to do away with some of the regulations and some of the powers so they can justify this cut in the number of health and safety inspectors?

The Ministry of Labour does tell us that there are 200 to 300 work refusals in Ontario every year. That's all. So why undermine it? The Ontario public service union tells us there are somewhere between 2,000 and 3,000 stop-work orders every year. In other words, there are far more unsafe workplaces out there than there are workers who say, "I'm going to refuse to do this job because I believe it unsafe." So why go after the 200 or 300 incidents where workers refuse? Why undermine that? If their complaints are only 10% of the number of stop-work orders, the number of unsafe workplaces out there, why undermine it further?

Something else the government is going to do here is to allow codes of practice instead of regulations. That means somebody can defy the code of practice but they won't be guilty of breaking the law. That undermines it further. This is wrong—

The Acting Speaker: Thank you. Comments and questions?

Mr Wettlaufer: Once again I would say that the member from Kenora-Rainy River, the leader of the third party, is starting to sound like a Liberal.

Mr Hampton: Please don't insult me.

Mr Wettlaufer: He doesn't want to be insulted.

He's saying the sky is going to fall if we do this. For him to make an allegation that we would ignore the risks to the life and safety of the average Ontario worker is ludicrous in the extreme. It's absolutely unbelievable that

any member in this House could stand up in his place and accuse another member of not taking into consideration the life and safety of the workers of this province. I'm sorely disappointed in the member for making an allegation like that.

I can only say once again that many of the actions we've taken in this province have benefited the average Ontarian to a great extent. Young people have benefited, seniors have benefited, the middle class has benefited, the low-middle class has benefited, the low class has benefited. There are far fewer people paying taxes today in the low element than were paying taxes under the NDP government. When I say "the low element," I'm talking about the lower-income groups. Far fewer workers are paying income tax today than were under the NDP government, and certainly under the Liberal government; we know what their practice has always been: tax and spend.

I only want to say that the member from Kenora-Rainy River has it all wrong and I'm sorely disappointed in his allegation.

The Acting Speaker: I just want to clear something up, and that is that there were no personal allegations made; they were collective.

Mr Peters: I don't think it's the NDP that has it all wrong. I think the ones that have it all wrong are the Mike Harris Tories in this province.

The member from Kenora-Rainy River makes a good point. When you look at the title of this piece of legislation, it's the Government Efficiency Act, but I can't comprehend how government efficiency has anything to do with the Occupational Health and Safety Act of this province. If anything, it's not efficiency. This government is doing damage to people's lives in this province. How can this be efficient and, I think the member from Kenora-Rainy River rightly pointed out, how would a new amendment that would allow an inspector to investigate over the phone and not at the workplace itself be efficient? That's not efficient; that's disrespectful to citizens of this province. How do workers and public health and fire safety officials being denied access to information on hazardous materials increase efficiency? That doesn't increase efficiency. That puts people's lives at risk in this province.

Bill 57 removes requirements that the employer must notify the director of health and safety if they bring new chemical or biological substances into the workplace. It's beyond comprehension how that can have anything to do with government efficiency. Again, it's putting the people at risk in this province.

I commend the member from Kenora-Rainy River for bringing these issues forward because these are issues that the people of Ontario need to hear. These are issues, unfortunately, that because of this government's lack of consultation and lack of information, the average citizen in this province isn't going to be aware of. Do you know now they're going to find out? Somebody is going to end up dead or injured on the job, and that's sad.

Mr Galt: I was rather amused as the member from Kenora-Rainy River spoke. He talked about the government not listening. I was sitting here as he went through that, thinking back to the social contract. They didn't listen to anyone. They had no consultation. They just forced it through and broke every collective agreement in Ontario with any government employee at any level, provincial and municipal. Across the board they just hacked and slashed. This is a government whose friends were the unions and this is what they did. They talk about listening. They certainly didn't listen.

The one that struck me more right at home was Sunday shopping. That was a bill they brought in to make Sunday shopping legal in any store in almost any place. How many hearings did they have? How much consultation? Whom did they ask? They just brought it in, and they talk about a government listening.

Then he talked about government efficiency. I can tell you that one government we had in the province that wasn't efficient was the one we had from 1990-95. The number of small business people, the number of entrepreneurs that left this country—they were leaving in hordes. I can't tell you how many people I talked to in the latter half of 1995 and into 1996 who were moving back to Ontario because of the change in policy, the change in direction. Once they heard the throne speech that was over and above what we campaigned on, they were convinced, as was every member who campaigned for our party back in 1995, that Ontario was going to look different, and it certainly does. It looks a lot better for almost 11 million people who are working, who weren't working before, half a million—

Mr Caplan: I certainly want to congratulate the member for Kenora-Rainy River for his comments, and all members who have joined in this debate. I think they have pointed out that the Government Efficiency Act, Bill 57, is much more than it appears to be on the surface.

But I want to follow up on the comments of the member for Northumberland, who takes great delight in excoriating members of the New Democratic Party over their role in the passage of the social contract. I find that passing strange when I read the comments of one Chris Stockwell, now the Minister of Labour. He said, in debate on that infamous Bill 48, "I'd like to say at the top that I will be supporting this legislation on second reading. I will be supporting it because it is probably, of the pieces of legislation this government"—the Rae government—"has introduced, as close to the Conservative philosophy as anything that they have ever introduced."

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Also interesting: a day later, after those comments by the now Minister of Labour and by other members of the Progressive Conservative Party, voting and supporting the NDP's social contract—and Mr Hampton, the member from Kenora-Rainy River, did favour it and did support it—I looked at the actual vote results. You will find very prominent members of today's Legislature, members like Harris, members like Stockwell, members like Runciman, Tilson and Turnbull—the Conservatives sup-

ported this. So I say in defence of my colleague from Kenora-Rainy River to the member from Northumberland, if you're going to criticize the New Democrats, at least criticize them on something you didn't agree with them on. You agreed with them. You supported them. You encouraged them, because as Mr Stockwell, then member for Etobicoke Centre and now the Minister of Labour, said, it came closest to the Conservative philosophy of breaking contracts, removing collective agreements and all kinds of intervention.

The Acting Speaker: The member for Kenora-Rainy River has two minutes to respond.

Mr Hampton: I want to thank the members for their responses. I just want to emphasize again what's at stake and how serious this is. We are dealing with people's lives. We are talking about people who work in dangerous workplaces, who rely upon the government of Ontario to ensure that there are adequate health and safety regulations in place so they don't end up risking their lives every day when they go to work. In that context, the government proposes to take away a number of important measures, and the government chooses to call it "efficiency."

I want to repeat that workers will no longer be entitled to have a health and safety inspector come to their workplace when they have refused work because they believe the conditions to be unsafe. They'll no longer have the right to have an inspector come and inspect. The inspector could phone up a manager of the company, and if the manager of the company says, "Oh, things are fine," they can be told, "Sorry, we're not going to follow through on this." Employers will now be allowed to introduce dangerous chemical and biological compounds into the workplace and not give notice. Employers will be able to keep dangerous biological and chemical compounds in the workplace and not keep an inventory.

Incredible. It's incredible that any government would do these things to workers. But even more incredible is that a government would do it and try to hide it. That's what's going on here tonight. The government has tried to bury this in a piece of legislation that it calls "government efficiency," measures that are detrimental to the health and safety of workers across this province, and the government doesn't even have the courage to come out and say it. They're trying to hide it.

The Acting Speaker: Further debate?

Ms Mushinski: In my limited time, I want to tell you what an honour it is for me to speak about this Government Efficiency Act, 2001, because it truly does trace the essential characteristics of our adaptation to a changing world. We live in a world where Ontario families are busier than ever, where value for tax dollars is ever more important and where taxpayers expect and deserve convenient, prompt and professional service, whether it's from a local clothing store or a provincial government Web site.

Since 1995, this government's plan to improve the lives of Ontario families has been consistent and it's been clear. The plan has been to strengthen the economy by

cutting red tape, by reducing red tape and by eliminating barriers to economic growth. In the speech from the throne, the Ontario government has laid a new vision for this province. It has set a goal, it has set a very ambitious goal, and yet it is an achievable goal. It is within 10 years that Ontario will enjoy the best-performing economy and the highest quality of life in North America.

As the speech from the throne stated, it is now abundantly clear that economic strength and quality of life are quite inseparable. Only a strong economy provides the means to support important services such as accessible health care and quality education. Only a strong economy—

The Acting Speaker: Order. The Chair recognizes the member for Don Valley East on a point of order.

Mr Caplan: This is a most excellent speech. I really think there should be a quorum in the House to hear it. Would you please check if one is present?

The Acting Speaker: Yes, I will. Could you check and see if there's a quorum present?

Clerk Assistant (Ms Deborah Deller): Quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: Quorum is now present, Speaker.

The Acting Speaker: Thank you. The Chair recognizes the member for Scarborough Centre.

Ms Mushinski: Thank you, Mr Speaker. I do appreciate the fact that my colleague on the other side wants to hear this speech.

As I was saying, it's truly only a strong economy that provides the means to support important services such as accessible health care and quality education.

We have a plan, and our plan is working. The people of Ontario have seized new opportunities that have yielded remarkable results: more than 822,000 new jobs and more than 578,000 people who have escaped the welfare rolls. In the last two years Ontario's economy outperformed that of each G7 nation, growth unseen and unprecedented since 1985.

We cannot rest on our laurels, however. The successes of yesterday should not obscure the challenges of today. We all realize that Ontario faces real and pressing tests, that the world economy is changing at a rapid pace and that local economies that fail to adapt or cannot compete will be left behind.

Responsible choices must be made if our province is to remain competitive and strong. It is sometimes necessary to remind all of us in this House that government is the servant of the people, not the master of the people, that citizens are more customers or clients. The entire public service belongs to them.

In order to ensure growth, fiscal responsibility and accountability, the speech from the throne underlined an action plan outlining the new ideas and decisive steps essential to protect the economy and sustain Ontario's quality of life. This plan is 21 steps leading into the 21st century. The number one priority of this action plan is that Ontario must remain competitive with the rest of the world. To achieve that objective, taxes must be

ompetitive. But above all, the regulatory climate must be conducive to investment and job creation.

I know I have to limit this speech because of time, but I want to end by saying that fiscal responsibility requires that everything government does it does efficiently, while offering citizens best value at lowest cost. That is what sound regulatory reform must achieve. By implementing

the amendments contained in this bill, Ontario would stay among the jurisdictions which have embraced the cause of championing economic growth along with better services for their citizens.

The Acting Speaker: It being 9:30 of the clock, this House stands adjourned until 10 am tomorrow.

The House adjourned at 2130.

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Jeudi 14 juin 2001

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Honourable Gary Carr

Clerk
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 14 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 14 juin 2001

The House met at 1000.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS

IPPERWASH PROVINCIAL PARK

Mr Gerry Phillips (Scarborough-Agincourt): This is a resolution:

Be it resolved that the Legislative Assembly of Ontario:

Acknowledges that the letter from the George family dated May 30, 2001, now removes the basis upon which the government defeated a motion calling for the establishment of a public inquiry into the events surrounding the shooting death of Dudley George at Ipperwash Provincial Park in 1995; and

Endorses the proposal of the George family for a process that will finally determine the facts about the events at Ipperwash Provincial Park and provide advice on how to prevent future occurrences.

The Acting Speaker (Mr Bert Johnson): Mr Phillips has moved private members' resolution number 7. Pursuant to the standing orders, the member has 10 minutes to make his presentation.

Mr Phillips: I want to make three points. The first is, should there be some form of an independent public inquiry into the events at Ipperwash Provincial Park?

Let's remember that this event took place shortly after the Harris government was elected. A First Nations person was killed in this confrontation—the first time, I might add, in well over a century that a First Nations person was killed in a confrontation about a land claim—and an OPP officer was convicted with criminal negligence causing death.

There are an overwhelming number of questions about the events and there are an overwhelming number of instances where the Premier, the cabinet, and the government say one thing, and then evidence comes out that contradicts them.

I say to the public, if you're interested in this issue, log on to—there is a six-page summary of the evidence. People say to me, "What evidence do you have about this?" I say, "Here are six pages of written evidence from files, from memos, from police records, from Hansard, where there are contradictions." If you want to get this six-page summary, log on to www.ontarioliberal.com.

For those who are watching who would like to have a chance to read the evidence, I want to go through merely three or four of dozens of examples.

The Premier has indicated he had no involvement at all in this issue. On December 20, 2000, here in the Legislature he said, "Oh, yes, that document confirms that the OPP commissioner was at a meeting that I was at, something I indicated quite freely five years ago at the time of the Ipperwash situation. I can tell you the OPP commissioner sought an injunction and we gave him one." He was saying he was at a meeting on September 6, the day Dudley George was shot. The next time we had a chance to question the Premier about this, he had changed his mind completely: "I think I may have indicated that we did meet with the OPP commissioner. I'm told we did not meet with the OPP commissioner." That's one example.

Second, the First Nations took over the park because they have evidence of a burial ground. The government said there's no evidence. Sure enough, after the shooting death and when they were examining their files, the government found in its own records here at Queen's Park evidence of a burial ground and the government was forced to drop all charges against the First Nations. That's the second example—no burial ground, there's no reason for them to go in there, and then the government itself finds the evidence.

The government said they had no influence on the approach of the OPP, the type of injunction they were seeking and the approach the OPP was taking. Here is a transcript of the two commanding officers talking with each other about two hours before the shooting. They'd found out that here at Queen's Park things had changed from what they wanted. The one commanding officer said, "Well, that injunction surprises me ... they [the government] went from that, the regular type of injunction to the emergency type which you know really isn't in our [OPP's] favour ... we want a little bit more time."

Another example of records from the police: the disappearing files. This is Mr Runciman himself. When asked about key files that were eliminated, erased the day a senior OPP officer left the employment of the Solicitor General's office, here's what Mr Runciman said: "There was a deputy minister prior to my current deputy who was in office during this period of time. Indeed we are concerned about the loss of these files in terms of our ability to retain very important and critical files. I share your concern" about that.

Anyone who wants more of this is welcome, as I say, to log on to our Web site. I don't think there's any doubt

there is an absolute need for a public inquiry. I believe there's substantial evidence of inappropriate behaviour, but I am totally prepared to let an independent, hopefully a respected judge, look at the facts and make a determination for all of us so once and for all we can reach a conclusion on this.

The second point I want to make is that the government is now essentially saying, "Oh, well, let the civil case be the inquiry." For the public's information, the George family has launched a civil suit against Premier Harris, three cabinet ministers, the local member and others. This is a gross injustice, to force the facts to be determined by a civil case.

Point one I want to make is that it is the George family, the survivors of Dudley George, who are funding this. Sam George would love to have been here today but he can't afford to be here. He has to work. He is a man of very modest means. I filed with all the members here the fact that fighting him in this civil case is the Premier, who has already spent \$430,000 of taxpayer money on outside lawyers. We have asked how much money is being spent by Mr Runciman, Mr Hodgson, Mr Harnick and Mr Beaubien and have been denied that information. But it's clear that with similar defences, well over \$1 million of taxpayer money is being spent fighting the George family. This is not fair. If we believe there's a need to find out the facts about what happened there, and the truth, surely we can't expect the George family—and believe me, they are fighting this with modest means—to be able to fund a court case that will bring out the facts.

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The second thing I'd say is the government's saying, "The George family decided this is the route they wanted to go, so tough luck. They're just going to have to live with the civil case." Let me say to the public that the George family, from the day they launched this civil case, said, "We don't want to do this. The only reason we're doing this is because we have no confidence that the Premier will call a public inquiry. This is our only option." They've said from the first day they started this that they would drop it. They sent the Premier a detailed letter dated May 30, 2001, saying, "Listen, true to our word, we will completely drop our civil case."

They say they are willing to fully and finally drop their wrongful death lawsuit. The lawsuit would be put in abeyance during the inquiry process and would be "formally and finally terminated" when the inquiry final report is presented. It could not be clearer. They want to make absolutely certain that there is actually an inquiry conducted. That's why they said they would drop it fully and finally the day that report is tabled.

The thought that to get at the truth of what happened at Ipperwash we are going to force a family of one of the victims to fund, essentially for the public, the case of finding out the truth—if this were Walkerton and we were to say to the family of someone who died at Walkerton, "Listen, we're not going to have a public inquiry into Walkerton. If you want to find out what happened there, sue us. You go and hire a lawyer and you

take us through court. We'll fight you every step of the way, and we'll spend millions of dollars fighting you. If you want to know the truth, then you take that approach."

I say a gross injustice has been done the George family. The judge said that an unarmed man was killed and an OPP officer was convicted of criminal negligence. They went in there because of a burial ground that the government itself found out about. That was an injustice. Now, the second gross injustice is, to get at the truth, we, the Legislature, are going to force them to fund the very inquiry to find out what happened. Surely the matter is now in the hands of the Legislature. Whatever injustice was done at that time, we have an opportunity to not commit a second injustice.

I urge us to look inside ourselves on this. All of you read the facts about what happened and the contradictory evidence. Make up your own minds, and I think you'll reach the conclusion that we owe the George family and the people of Ontario a fair inquiry. We cannot condone forcing the George family to fund this inquiry on their own backs.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I wish to provide some comments this morning on the resolution introduced by Mr Phillips, who is the member from Scarborough-Agincourt.

First of all, there's no question the death that occurred at Ipperwash Provincial Park was a tragedy that touched all of us, that touched the people of this province and prompted an outpouring of sympathy from the people of Ontario.

As Mr Phillips has indicated, there is currently a civil action that's related to this incident now before the courts. It's important for all members of this House to realize that statements within the Legislature are public statements, and when these statements refer to matters that are before the courts, the court case could be affected. It is for this reason that caution must be used in the matter at issue.

I'd like to say that it is the best policy for any member of the Legislature, as it is a fundamental principle of our justice system, to refrain from commenting on these matters until the court process has been completed. In fact, I'd like to refer to the standing orders of this Legislature, section 23(g)(i):

"In debate, a member shall be called to order by the Speaker if he ...

“(g) Refers to any matter that is the subject of a proceeding

“(i) that is pending in a court or before a judge for judicial determination.”

The position of most members in this matter has been clear and consistent from the beginning. It is based on respect for due process under the law.

Mr Phillips: On a point of order, Mr Speaker: I wonder if the member might, in order to be clear to the public, read the entire thing where it says—

The Acting Speaker: No, that is not a point of order.

Mr Tilson: Members in this place should avoid trying to prejudice any case before the courts. That's been a

long-standing practice in this Legislature. Mr Phillips has debated this matter before and has asked numerous questions. On each occasion, the government has kept its remarks brief. And it is for this reason that I will refrain from being drawn into an improper debate.

Once again, as the Attorney General of the province of Ontario has stated, it is because these matters are before the courts that the government has repeatedly stated that other options will not be considered until all court proceedings are completed. It would be improper and premature to make a decision or to comment further while these matters remain before the courts. Relying on the courts and the due process of law was the action taken by the government. It would not be appropriate to argue the court case in this Legislature. This is not a court of law. It does not make judicial decisions and does not interfere with the court process.

Mr Phillips has told this Legislature that the plaintiffs have offered to hold their action in abeyance if a public inquiry is conducted. As I understand it, there is no provision in the rules of civil procedure for an abeyance. Accordingly, the parties would have to obtain a stay from the court subject to the terms agreed upon by the parties as to a continuance of action at a later date. Even if the parties agree to a stay of proceedings, it may well be that the court would exercise its discretion to move the matter forward.

Five years ago, the plaintiffs, as referred to by Mr Phillips, chose to commence a lawsuit. That civil action is underway. The same issues are the very issues that Mr Phillips wants to have reviewed in a public inquiry. As the member knows, the public inquiry process is rarely used, and for good reason. Under the terms of the Public Inquiries Act, a public inquiry is normally launched only when broad systemic issues are involved, issues that transcend the conduct of individuals. For situations where the conduct of individuals is questioned, the civil and criminal courts are well equipped to find the truth. Thousands and thousands of litigants have recourse to the court system each year.

The head of an inquiry is normally a judge or a retired judge, while a civil proceeding, of course, is also conducted by a judge. A public inquiry is based on terms of reference given it by the government, whereas a civil proceeding turns on the issues as defined by the parties themselves. The parties to a civil action are the plaintiff and any defendant they choose to involve, and such third parties as the plaintiffs and the defendants may choose to involve. The plaintiffs set out the parameters and the boundaries of the lawsuit. The party suing for damages establishes the issues that they believe need to be examined.

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An inquiry normally holds public hearings, and of course court proceedings are generally open to the public. The recommendations of a public inquiry are generally broad in nature and address systemic problems, not just individual actions.

An important difference in outcomes between an inquiry and a court is that an inquiry cannot make a finding

of civil or criminal liability. The action currently before the court is asking for a determination of civil liability.

An inquiry can, after giving due notice, include in its report what is analogous to a finding of misconduct against one or more individuals. It cannot find them liable in a criminal or civil sense. In fact, under the Public Inquiries Act, evidence given to an inquiry cannot be used in a criminal or civil proceeding against the individual who gave it. Even if an inquiry finds that misconduct occurred, the aggrieved party cannot collect damages on the basis of that finding.

A civil proceeding, on the other hand, can clearly assign blame and impose binding consequences. Discoveries can go on for several days if the parties disagree. A judge decides on what is relevant and can require a party to re-attend if necessary. This discovery process is not available in a public inquiry.

Another step in a civil proceeding is a requirement for the parties to produce all relevant documents in their possession, subject to claims for privilege on such grounds as solicitor-client or public interest immunity. Requirements for document production and claims of privilege are also features of public inquiries.

In a civil action, there is normally a pre-trial to get ready for trial. Copies of expert reports and other exhibits are provided to the parties at this stage, just as they would be during the course of a public inquiry.

Ultimately, there is the trial itself. The plaintiffs can be called as witnesses. They're examined by their own lawyer and then cross-examined by defence counsel. Plaintiffs' counsel can then reply to points brought up in cross-examination. The defendants can call witnesses, who are examined and cross-examined, and the defence replies. Both then can make closing submissions on all issues of fact, negligence and damages.

Finally, the judge renders a decision and provides reason for the decision to the parties. All court documents—transcripts, evidence, exhibits and the decision—are ordinarily available to the public.

That's the civil litigation process.

There is no doubt in my mind that there is no potential finding about the causes of the events at Ipperwash that could be made by a commissioner that could not be made by a trial judge. Again, I remind members that there is a civil action before the courts, the very civil action that is referred to by Mr Phillips. Surely the member has faith in our civil justice system. For hundreds of years, our country has relied on the justice system. Every year, thousands and thousands of litigants rely on the civil courts to obtain justice. As the mechanism for the peaceful resolution of disputes, the civil courts have been a foundation stone for our very civilization.

The resolution suggests that the justice system in this province is an inferior process. The similarities between public inquiries and civil proceedings are quite striking. Typically, both are presided over by judges, both have the power to call and examine all relevant evidence and witnesses, and both make their records and findings public. The most important difference is that a commis-

sion cannot make findings of civil liability, whereas a judge can. There is a strong case to be made that a civil trial would be a better way of getting justice for the parties to the lawsuit.

The government of Ontario did not launch this civil proceeding. Other people took the government to court, which they have every right to do. The proceeding is well underway. It has progressed significantly since 1998. A schedule has been put in place. Thousands of documents have been exchanged. The case is being managed by a judge assigned to deal with all pre-trial matters. I am confident that this process will ensure a swift and sure progression of the case.

Numerous court proceedings have already taken place. Over the next few months, all the parties will be examined for discovery. There would be no point, as is being suggested in this resolution before the House by Mr Phillips, in starting from scratch with a whole new process. There would be no point in that at all.

The Premier of Ontario has said—he's said it in this House; he's said it in scrums outside this place—that when the court proceedings are exhausted and there are any questions that remain unanswered, the government would look to the best ways to answer these questions. The appropriate steps would be taken at that time to ensure that all matters have been reviewed.

In the meantime I, and I hope all members of this place, have confidence in the justice system. I have confidence in the courts that they will answer all of the questions that the plaintiffs are raising and that justice will be done.

Mr Dalton McGuinty (Leader of the Opposition): I am pleased to rise in support of this resolution introduced by my colleague the member for Scarborough-Agincourt.

I want to start again by lauding the conviction and courage shown by my colleague. Gerry Phillips is deeply committed to finding the truth surrounding the circumstances at Ipperwash Provincial Park. He has worked tirelessly behind the scenes and in the public eye to get at the truth. His continuing work on this issue is a testament to this man's decency, his work ethic and his commitment to doing simply what is right. I think all members, and I mean all members, should acknowledge and applaud the attributes of this member. Mr Phillips's work is proof, in this age of cynicism felt by so many for what we do in this place, that this place is still quite relevant, if only because one MPP can still make a very real and positive difference.

The member for Scarborough-Agincourt would be the first to tell you, however, that his contribution has been small compared to the contribution of the George family. There is no doubt about that. This is a family that has shown enormous courage. They suffered the deepest personal loss one can imagine when their loved one, Dudley George, was shot dead in a protest outside Ipperwash Provincial Park. They lost someone they loved suddenly and without warning and, perhaps the unkindest cut of all, without explanation.

One would understand if the George family simply walked away to take time to heal. But instead, they have

taken on the most powerful interests in the province. They're not seeking revenge. They're not seeking attention. They're not seeking personal gain. All they are seeking is the truth, the truth about Ipperwash. Despite very modest resources, the George family has fought for the truth now for six long and gruelling years. They have fought both in the courts and in the court of public opinion, and they have fought tirelessly and courageously, which begs the question, why has it been such a long and difficult fight for the George family? There's only one answer to that, and that's because of the government's deliberate stonewalling.

The family was given no choice. They had no alternative but to bring a suit against the Premier and members of this cabinet. But what it really wants, what it really seeks at the end of the day, is a full, impartial public inquiry. And who would blame them, when they have lost so much in such mysterious circumstances? Who can blame them when the government's and in particular the Premier's story keeps changing? The Premier's own version of the truth recently changed and then he backtracked, and then he backtracked a second time.

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Throughout this, this Premier and this government have shown nothing but contempt for the George family. This government has been more than willing to subject the George family to the undue financial hardship that results from their having to pursue a civil case so that it can obtain the truth. The George family has now indicated it is prepared to drop the suit if this government would simply begin a public inquiry. Throughout, the government has maintained it could not proceed with a public inquiry because of another matter before the courts. Now the George family is telling this government, and particularly Mike Harris, that they are prepared to relinquish their right to pursue this matter in the civil courts if the government would merely undertake to do what it has committed to do all along, which is to hold a public inquiry. Now, faced with that reality, this government has answered that it will not grant any such inquiry.

It's ironic that a government that felt so threatened by a roadblock at Ipperwash Provincial Park is now throwing up roadblock after roadblock in the way of justice and finding the truth. I have to ask, what is the government so afraid of? Months ago, Ian Urquhart of the Toronto Star put it eloquently in a column. Mr Urquhart wrote, "There is one downside to a cover-up, no matter how well it is executed: it tells everyone that there is something to hide." It seems to me that if the government had nothing to hide, surely it would support a public inquiry.

The George family has said that all it wants is the truth: the truth about Ipperwash, the truth as to why something went horribly wrong despite and—this is important—the OPP's lengthy history of dealing with these situations peacefully and successfully.

The George family wants the truth about the government's hard-line approach. They want answers to some

very important questions. They want to know what really happened at Ipperwash. They want to know whether the Premier himself was directly involved. They want to know what political direction, if any, was given to the OPP by members of the cabinet. They want the truth about Ipperwash. That's all they want, and that's all the member for Scarborough-Agincourt has been fighting for on their behalf: the truth.

At the end of the day, if we collectively, as members of this august assembly, are committed to anything, surely it is to finding the truth. It is for that reason that I, without reservation, support this resolution.

Mr Howard Hampton (Kenora-Rainy River): I rise in support of this resolution. I think it's important at this point in time to reflect upon what got us here, why we're here and how similar situations have been handled by governments in the past.

The facts are reasonably well known. Dudley George was shot dead by a member of the Ontario Provincial Police in the summer of 1995. We have seen a number of media stories that indicate the Ontario Provincial Police did not follow their own guidelines for dealing with disputes with First Nations, particularly in the case of land claims, that the OPP for some reason ignored their own guidelines. We know the OPP also did not follow their own guidelines for the use of the OPP tactical squad or the OPP special unit. It's incredibly unusual for the Ontario Provincial Police not to follow their own procedures. Something must be incredibly important or incredibly powerful to force the Ontario Provincial Police to abandon not one but two of their codes of procedure.

We also know, and this is quite strange, that at the time this was happening an elected member of the Legislature, who happens to be a government member, was in fact in the OPP command post on site. That is incredible in itself, because what it suggests is political interference in the day-to-day activities of a police force; in other words, a mixing of the discretion and the law enforcement responsibility of police forces with political activity or political interference. That's a very serious situation, almost as serious as the fact that the Ontario Provincial Police abandoned two of their own procedural codes in this context.

We then have memoranda that indicate that some direction from the Premier's office was exercised with respect to the conduct of the OPP. There are memoranda that link either the Premier or someone in the Premier's office to the statement, "Get the"—I'll delete the word—"Indians out of the park." Another memorandum says that the Indians must get out of the park and the OPP must ensure this. I'm paraphrasing what exactly it says but that's the content of it. That again suggests political interference by the Premier's office in the conduct of the OPP, which is most unusual in a democracy, which is frankly totally out of sorts in a democracy, that there should be that level of political interference in the day-to-day conduct and exercise of the authority of a police force.

So we have not one strange situation here, not two peculiar situations here, not three unusual situations here,

not four incredible situations here, but more than that, we have a government that in the face of all this refuses to call a public inquiry to determine how it could be that an unarmed, innocent man could be shot dead by the police force, a police force that has abandoned two of its own protocols, a police force that has a member of the government in their command post leading up to this situation, and a police force that, it would appear, received instruction, either directly or indirectly, from the Premier's office.

This is an incredible number of events that are linked together, yet there is a refusal by this government to call a public inquiry into this situation. Instead, what do they do? They literally force the family of the deceased person to go to court to try to hold the government accountable. Imagine how outlandish that is: a government that preaches accountability, but has done everything it can to avoid accountability in this instance, forces individual citizens to go to court to try to hold it accountable. That is even more outlandish.

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It's worth noting, it's worth comparing how the government has dealt with this situation where its own activities, its own statements may somehow be connected to the events. It's worth noting how they've handled this situation with respect to Dudley George and then comparing it to other situations.

In the first two years of the first term of this government there was another situation here at Queen's Park where there was a conflict, an altercation, between OPP officers and people who were protesting here at Queen's Park. In fact, it was such an awful, such an ugly altercation that it made not only the national news but the international news. No one died in that altercation—it was a conflict, it was an altercation, but no one died—yet almost immediately the government agreed to call a public inquiry to determine what had happened, how this altercation came to be and what could be done to avoid such awful situations in the future. The government immediately was prepared to call a public inquiry.

I think it's passing strange to anyone that the government would be prepared to call a public inquiry in one case almost immediately, yet the government has done virtually everything it can within its capacity to avoid calling a public inquiry in another incident where an innocent, unarmed citizen was shot down, was killed, and where all kinds of evidence has come forward that indicates that there was something quite untoward, quite unusual, very peculiar, that happened here which really cries out for a public inquiry. That is the direct comparison.

But there is another comparison that I think needs to be made with respect to the Walkerton situation. Again people died and several other people became very ill—over 2,000 people became very ill. The government did not want to call a public inquiry into that situation, but after some of the information, some of the evidence percolated into the public view, the government felt it had to call a public inquiry. I can only suggest that what

finally forced the government to call a public inquiry there was the fact that information did percolate into the public view, information which indicated that there was something terribly wrong in the water testing, something terribly wrong in the way the results of the water testing were not forwarded on to provincial officials. There was evidence that percolated into the public view that indicated that something had gone very wrong in the normal process of things, such that contaminated water killed people.

With respect, I think we're faced with exactly the same situation surrounding the death of Dudley George and Ipperwash park. All kinds of information has now percolated into the public view which indicates that there ought to be a public inquiry, which indicates that the situation is very similar to Walkerton: something untoward, totally out of sorts, something that indicates that officials were either not doing their job—information that indicates that the Ontario Provincial Police abandoned two of their own protocols, two of their own directives in terms of how they ought to conduct themselves. These are very similar circumstances to Walkerton that call out for a public inquiry, yet again the position of the government is that they're going to force this family—a family that does not have a lot of financial resources, a family that is not well connected in either legal or political circles—to spend literally hundreds of thousands of dollars to get information from a government that, if you believe the government's rhetoric, should be willing to step forward and hold itself accountable by means of a public inquiry.

What has the government done? Initially, the government's response was that once all the criminal cases are out of the way a public inquiry can be held. Well, the criminal cases are out of the way. They've been disposed of. My God, they've gone to the Supreme Court of Canada. So the criminal cases were disposed of and the request was made of the government, "Will you hold the public inquiry now?" No. The response of the government then became, "There is still a civil case outstanding, and a public inquiry cannot be held until the civil case is dealt with."

The George family has now come forward and said they're willing to, in effect, terminate the civil case. They are saying, despite the fact that they have been forced by the government to spend thousands of dollars they don't have, "We are willing to abandon this. We are willing to terminate the civil case. We're willing to do away with the civil case. Will you hold a public inquiry now?" And what is the response of the government? The response of the government is once again no. A government that preaches accountability, a government which has so much rhetoric and propaganda about accountability, is unwilling to hold a public inquiry to demand accountability about how an unarmed, innocent citizen of Ontario was shot down.

The farther you go down this road, the more you follow this government's expressions, this government's excuses, the more absurd they become, the more un-

believable they become. Thus we have the need for this resolution today.

All members of the Legislature who've watched this sad, sad episode over the last six years since the summer of 1995, if you've followed the statements of the Premier and the former Attorney General and the former former Attorney General and the now Attorney General—I think we're all forced to conclude that this resolution should have the support of all members.

The criminal cases have been disposed of. The George family is willing to do away with the civil case. The government should call a public inquiry as they did in the case of Walkerton and as they did in the case of the altercation, the conflict which happened here in the first two years of the government between a number of protesters and the Ontario Provincial Police.

The government is running out of excuses. Every excuse they have brought forward has now been disposed of or can be disposed of. Yet the government refuses—refuses—to hold a public inquiry to find out: who was accountable, what happened, why did it happen, how was an innocent, unarmed man shot down by the Ontario Provincial Police force in this province? It refuses to hold an inquiry to determine how these things can be avoided again, how this very sad, very sorry situation that resulted in the wrongful death of a citizen of Ontario could be avoided.

The government refuses to take that step of accountability. The government continues to try to find sorry excuses, lame excuses, to avoid that kind of accountability, thus the need for this resolution.

I hope all members who follow this discussion and this debate will feel compelled to support this resolution.

Mr Michael Bryant (St Paul's): I rise today in support of this resolution, of course, and really want to direct my comments to the government's arguments and respond to those arguments.

We've heard today some of the same old stuff that they have been peddling for some time, and it's time they be held to account in a public arena for these straw man arguments.

Laced with contradictions and an obdurate, paranoid insistence on avoiding a full airing of the truth, a full airing of what happened in a tragic incident involving government ministers, involving public servants and involving the tragic shooting death of Dudley George at Ipperwash Provincial Park in 1995, today marks the latest lame offensive by this government.

The first argument made by the government in opposition to Ipperwash is that the defendants want to have their day in court. It is as if it were a criminal trial: the defendants have somehow been wrongly accused and they want to clear their name.

1050

When you talk about the defendants having their day in court, that's what they're referring to. But not in this case. This is a civil action, and the joke is that these same defendants, some of them, actually went to court and said, "We don't want to have our day in court." Today in

the House, and before, the Attorney General has said that the defendants want their day in court, yet outside this Legislature particular defendants have gone to the courts and tried to have the case dismissed against them. They said, "I don't want to have my day in court." So either they are telling the truth now or they were telling the truth then, but it can't be both ways. This argument that the defendants want to have their day in court is a crock.

Next, the argument is made that the civil case is already under way. The Attorney General knows very well and the parliamentary assistant knows very well that most litigation is not settled until the discoveries are done and the pleadings are all in and the motions are complete, and often the settlement takes place on the courthouse steps on the eve of a trial, or in the middle of a trial, or even after all the evidence has been submitted. Why? Because you wait for the other side to blink. The argument that the civil litigation is already under way is as circular an argument as you are ever going to hear. On that basis we will never, ever have another public inquiry held in the history of this province.

Another argument is, "The justice system can serve the full airing of these issues well." He knows very well that that's not the case, and that is why we didn't rely upon the victims of Walkerton to hold civil litigation in order to hold the government accountable for what happened, as the member for Scarborough-Agincourt argued.

Let's be clear here: there are very important differences between a public inquiry and civil litigation, and the government knows that. But to hear the government argue about the virtues of civil litigation, you'd think they were having second thoughts about the merits of holding a public inquiry in Walkerton. Based upon the arguments made today in this House and before by the Attorney General, we ought never to have a public inquiry, because somehow the civil litigation system will solve such matters. I say to you that they have no support for that opinion. They know it is not the truth. They know that, in fact, it is not an accurate statement of the difference between civil litigation and public inquiries.

I'll back up my arguments and I would like to see the government back up theirs. I have in my hands a legal opinion from Professor Patrick Macklem of the faculty of law at the University of Toronto. He has provided a legal opinion as to whether there ought to be a public inquiry in Walkerton based upon any alleged legal obstacles. He sets out, and I'm going to quote at length here, but it is worth quoting at length on this point, why you'd want to hold a public inquiry. Professor Macklem writes:

"Public inquiries are often able to investigate, inform, and educate in ways superior to those available to the judicial and legislative branches of government. The judicial process," he says, "according to the Ontario Law Reform Commission, tends to assign blame by 'fragmenting issues into a limited set of categories established by existing norms,' whereas a public inquiry enables a broader examination of social causes and conditions." I will continue: "Accordingly," he writes, "public inquiries

often perform an important social function, contributing to"—and he takes this from the Ontario Law Reform Commission—"a dramatic transformation in popular perceptions of some previously poorly illuminated aspects of Canadian society and institutions."

What is the poorly illuminated aspect in this case? We have the spectre of a scandal. We have the spectre of government ministers being inappropriately involved and being involved in some way in the shooting death of a citizen of Ontario. Well, that's going to hang out there. That's always going to hang out there, until we get a public inquiry that gets to the bottom of it.

As Professor Macklem argues, the civil litigation process will determine rights as between parties, the civil litigation process may result in determining who owes what in terms of damages, but a judge, as the government knows very well, cannot make any recommendations for the future, as a public inquiry can. A judge is constrained by legal and evidentiary rules that should be there but are by and large not there. They're free to get to the bottom of matters in a public inquiry. So Professor Macklem concludes in his letter of September 8, 1998, to the Coalition for a Public Inquiry into the Death of Dudley George: "The government of Ontario faces no legal barriers to the establishment of a public inquiry to identify the causes of the death of Mr George, to determine whether or not his death could have been prevented, and to recommend means for preventing the occurrence of similar events in the future." He goes on to say that not only are there no legal barriers but he recommends an inquiry. In his words, "There are strong policy reasons for establishing a public inquiry as quickly as possible and no valid policy reasons for refusing to establish such an inquiry. Given that both law and policy fully support the establishment of a public inquiry, the government of Ontario's continued refusal to hold an inquiry can only be explained in terms of a politically motivated unwillingness to subject certain governmental decisions, procedures and actions to public scrutiny."

It is a damning indictment of this government. It's not coming from the official opposition; it's coming from an esteemed scholar from the University of Toronto, a faculty that a number of government members are graduates from. Professor Macklem also wrote a letter in regard to this particular resolution, making it very clear that "in light of the fact"—in his words—"that the plaintiffs have offered to drop the litigation in exchange for an inquiry, a public inquiry ought to be called into this matter immediately."

There is no support for the government's position that an inquiry ought not to be called. Their arguments are strong-arm arguments. There is a paranoia here, and the paranoia is backing up our insistence and will continue to drive us to get to the bottom of this matter on behalf of the George family and on behalf of Ontarians.

The Acting Speaker: Further debate? The member for Scarborough-Agincourt has two minutes to respond.

Mr Phillips: To wrap up: first, I say to the public of Ontario, any charge I've made on the Ipperwash situation

is backed up by facts. I ask you and urge you, if you're interested in this, to log on to www.ontarioliberal.com, and there's a six-page document that will indicate the hard written evidence to support the fact that there was inappropriate behaviour by the government. There is no question of the need for a public inquiry on this.

The government is saying the civil case will do it. Surely that argument holds no water. Would we ever have said to a victim in Walkerton, "You don't like what happened at Walkerton? Sue us. Go to court. Fund your own case of going after us." But that's what we're asking the George family to do. It, frankly, is a disgrace. I say to the member who spoke on behalf of the government that this family, the George family—I talked to Sam George and I said, "Sam, it would be helpful if you were here." He can't afford to be here today. He can't take another day off work. The government has spent \$1 million defending themselves. Believe me, the George family, residents of Kettle Creek reserve, are fighting the best they can to get at the truth. They said from the start that the only reason they launched the civil case is because they've got no confidence that Premier Harris will ever call an inquiry. They've said from the start that they would drop the civil case the day that inquiry was properly called.

There is no doubt about what's happening here. The government made a huge mistake, in my opinion, around those events at Ipperwash. The government is afraid to let the truth come out and the government is now doing another gross injustice. The Legislature today unfortunately may very well make that gross injustice, and that is, to force the George family into bankruptcy to get at the truth about Ipperwash.

1100

POLICE SERVICES AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI SUR LES SERVICES POLICIERS

Mr Tilson moved second reading of the following bill:

Bill 59, An Act to amend the Police Services Act /
Projet de loi 59, Loi modifiant la Loi sur les services
policiers.

The Acting Speaker (Mr Steve Peters): Pursuant to standing order 96, the member has 10 minutes for his presentation.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): This bill started off as an issue which involved a large portion of my riding, mainly the town of Caledon, which is served by the Ontario Provincial Police. The south half of the riding, which includes Brampton and Mississauga, is served by the Peel Regional Police Service. It's been found for the last number of years that those two police forces should be one, and agreements have been made from time to time with the Solicitor General of Ontario to allow the Ontario Provincial Police to continue.

Originally I was going to introduce this bill for the purposes of simply solving the problem that existed in the town of Caledon, because policing in the town of Caledon is quite different from policing in, for example, Brampton or Mississauga. Caledon is basically a rural community, whereas Brampton and Mississauga are urban communities.

However, in researching the topic, I discovered that this situation existed throughout Ontario. It existed in Sudbury, it existed in Timmins, it existed in Kenora and it existed in the Kawartha Lakes area, which, as you know, is Lindsay.

I then decided I would make the bill apply to all of the province, and hopefully members, particularly members who are in those areas or members who find themselves in a similar situation, will support the bill to alleviate this discrepancy that exists in the Police Services Act.

The bill, I would say to you, amends the Police Services Act to allow municipalities an additional choice in the provision of police services, which is called hybrid policing, which is based on criteria. Section 5 of the Police Services Act requires municipalities to provide police services by means of only one of a number of listed methods. So this bill, if passed, would allow municipalities to combine two or more methods where the municipality contains remote or widely dispersed communities or where police services have historically been provided by a different method in a discrete area of the municipality.

That, in summary, is the intent as to why this bill has been introduced. It's a very short bill. It consists of one page, which members have before them, and it's quite clear what the bill is trying to do. As representatives of the public, we have the ultimate responsibility of ensuring that the residents of this province are protected by adequate and effective police servicing. The bill aims to make sure that our communities have the flexibility to determine the police service delivery arrangement that suits them best. In my particular area, I can say that overwhelmingly the people of Caledon believe that the type of policing they have in that area serves them best.

Bill 59 provides municipalities that are responsible for providing such police services with another option in service delivery. Under the current Police Services Act a municipality must choose one of six delivery alternatives: maintain its own police service; contract with an adjacent municipality for police services; contract with the Ontario Provincial police, either alone or jointly with one or more municipalities; amalgamate its existing police service with one or more municipal police services; form a joint police service with one or more municipalities; or adopt another method approved by the Ontario Civilian Commission on Police Services.

As I have stated, all of these options require a single provider or delivery agent per jurisdiction. That is the problem that exists in my riding and, I know, the ridings of Sudbury, Timmins, Kenora and the Kawartha Lakes area.

It provides more flexibility in police service delivery by adding the option of what I have said is commonly

described as hybrid policing. Hybrid policing, for those of you who don't know what that means, is an arrangement that allows more than one police service to provide services to different areas within a single municipality. Typically, the need for hybrid policing arises from municipal restructuring that incorporates, amalgamates or merges areas that were policed by the Ontario Provincial Police and other police services. Currently, municipalities that have restructured must adhere to the requirements of the Police Services Act and adopt a single police service under one of the service delivery options that I have mentioned.

If Bill 59 is passed by the Legislature, it would be possible for the local police service to continue in its traditional jurisdiction while another police service covers the balance of the new municipality. Bill 59 takes into consideration the needs of areas with remote or widely dispersed communities; for example, a municipality with remote or widely dispersed communities might derive cost-effectiveness or efficiency benefits if the outlying communities are policed by a neighbouring police service or the Ontario Provincial Police while the core of the municipality is policed by the municipal police service.

The bill allows some municipalities to maintain historic policing relationships, as exist in the town of Caledon, when undergoing restructuring and amalgamation. This legislation provides more flexibility and choice in providing police services while maintaining the requirement for adequate and effective policing services.

I urge all members of this House to support Bill 59, which allows municipalities more choice and an opportunity to choose the method of police service delivery that suits them best. I assure you that all the current government's mechanisms will remain in place to ensure municipalities satisfy their responsibility for providing adequate and effective policing services.

In the few minutes that are left, I'd like to look at the benefits of amending the Police Services Act to require a single police services board in hybrid policing situations. Under the Police Services Act, the local police services board is responsible for ensuring adequate and effective policing services in the municipality. However, the mandate of the board with governance over municipal police service differs from that of a board overseeing an Ontario Provincial Police contract.

Therefore, without the requirement for a single police services board, as proposed by Bill 59, two separate boards would be required in some hybrid policing services. Caledon, incidentally, for the last number of years hasn't even had a police services board, which I'm sure is a strange situation in this province. Each board would have a different composition and role according to whether governance was exercised over the municipal police service or the Ontario Provincial Police contract.

In such situations, there would be duplication and greater possibility of differences and inconsistencies between policing services in the different parts of the same community. Bill 59 eliminates this possibility by

requiring a single board. This would facilitate consistent police services within the municipality and would give the local police services board the authority to fulfill its responsibility to provide adequate and effective policing services.

In conclusion, I would ask that all members of this House support Bill 59. We want to make sure that our communities have the flexibility to determine the police service delivery arrangement that suits them best.

1110

Mr Rick Bartolucci (Sudbury): I am pleased to rise and speak to the private member's bill introduced by the member from Dufferin-Peel-Wellington-Grey. Before I get into the specifics of the bill, I have to give some background on why this bill has a profound effect on the city of Greater Sudbury. It wouldn't have had any effect on the former regional municipality of Sudbury, but we're forced to look at this hybrid policing because in the government's quick move to amalgamate certain jurisdictions, they didn't really think out the process of policing too well. So this is not really all about choice; this is about a need to fix a situation that was caused by amalgamation in Sudbury, amalgamation in Ottawa-Carleton, amalgamation in Kawartha Lakes, amalgamation in any jurisdiction across Ontario.

Let me talk a little bit about this amalgamation, first of all, and then I will deal directly and specifically with how it affects our now city of Greater Sudbury.

Under our municipal restructuring, we ended up with less representation. In fact all the amalgamated areas ended up with less representation. We also ended up with more costs. The amalgamation in our community involved seven municipalities, along with underserved areas and some areas that were not being serviced. We took seven municipalities that were virtually debt-free—several of them had surpluses in their budgets. They were running effectively, efficiently and were certainly meeting the needs of the constituents they represented. The government forced amalgamation upon us. We now have one city of Greater Sudbury that is approximately \$10.3 million in debt. None of the promises the short-lived Minister of Municipal Affairs and Housing, Steve Gilchrist, made have come true or will come true without drastic alteration. We have a city, made up of seven area municipalities, that is now in debt. I wouldn't think that was in the best interests of the citizens of the new city of Greater Sudbury.

You also have increases in user fees. We now have a sewage fee. That's a tax. Before, we had a water rate; now, we have a sewage rate as well, almost doubling almost the fee that citizens of Greater Sudbury have to pay.

We have a council that is burdened with a 100-page agenda when they meet. There is not adequate time for discussion of issues pertaining to the protection of citizens in Greater Sudbury, items such as Bill 59, which is an important bill for the citizens of Greater Sudbury. We have a council that has virtually no time to discuss this bill or these types of issues.

We have centralized power. We have area councillors who are unhappy: they feel they're being excluded from the decision-making even though they represent the 162,000 people who make up the city of Greater Sudbury. So we have some major problems in our city that we have to address, and certainly councillors are doing that.

One of the deputy mayors of Greater Sudbury, Eldon Gainor, who sits on the police services board, understands this problem, understands the problem that was created with the amalgamation when you have more than one police force policing this vast area. So we have to do something to ensure we address proper policing, effective policing, cost-effective policing, meaningful policing, policing to meet the expectation of Chief Alex McCauley, Deputy Chief Jim Cunningham and Inspector Ian Davidson.

I was approached by Andy Humber, a police services board member and also a fundraising Tory, for the other side, to support this bill. Upon first reading it, I had some concern, not so much for the city of Sudbury—and at the end of the day I'm going to be voting in support of this because it will help the city of Greater Sudbury save some money, because amalgamation certainly didn't save the city of Greater Sudbury any money; in fact, it's cost us \$10.3 million so far. But there are some concerns with the bill, and I would hope this bill gets to committee because we will want to address some of them.

In discussion with the chief of police for Sudbury and asking him about Bill 59, he doesn't have any major opposition to Bill 59. To be honest, if the administration at the city of Greater Sudbury police services has no problem with it, then I have no problem with it.

The bill, as they read it, would allow for a form of hybrid policing, which is exactly what the member said. In the case of Sudbury this is important, because some of the area that was recently amalgamated to form the new city of Greater Sudbury—specifically the areas to the north and east of the new municipality—is largely surrounded by the jurisdiction of the Ontario Provincial Police and has been policed in the past by the OPP. The cost to the new city of Greater Sudbury to assume policing of these specific areas would not be proportional to the service requirements, and that's one of the main reasons why I will be supporting this. It would mean that the service would have to obtain certain types of vehicles, such as snowmobiles and boats, in addition to the equipment they already have, at an excessive cost amount. On the other hand, the Ontario Provincial Police, in this particular jurisdiction, are already equipped for that as they have policed in the past and they are policing the particular area around the city of Greater Sudbury.

Here is a very important point that I want to make and one of the strong reasons why I'm going to be supporting this. We're probably going to be saving about \$2 million by supporting this bill. Listen, our community has to save money. It is imperative that our community be provided policing services in a cost-effective manner, but in an effective manner as well. We had that and we need this

bill to ensure that that continues, because of the forced amalgamation by the government on the citizens of the city of Greater Sudbury.

I think this bill provides measures to allow for the continued progressive type of policing that we've had in our community in the past, without disruption and without an inordinate amount of extra costs to our taxpayers. That's a big reason why I'm going to be supporting it.

I also think it's important to understand and to make clear to the people of the city of Greater Sudbury and to the people of Ontario who have experienced amalgamation—forced amalgamation, mostly—that these are the types of problems that the government either didn't think through, didn't anticipate, or weren't good business managers in seeing what was going to happen once amalgamation took place.

It's imperative that Bill 59 be sent to committee, be passed, I would hope, and then be enacted into law so that the citizens and the people I represent in the city of Greater Sudbury can remain confident and have the high confidence level they have in their police force with the addition of this hybrid policing which will take place.

1120

I must commend the member, who did come over to see me. He sat down in a spirit of co-operation—isn't that unusual? This is a private member's bill. I believe the government can learn from this Conservative member. This member came over. We sat down; we had a conversation. He said, "This is how I think this bill can help your citizens. What are your concerns?" We were able to have a very good dialogue, and I thank the member for that. This is the way I think government should happen. There should be mutual understanding, mutual confidence in each other, and I have confidence in the member who is presenting this bill, because I know he's clearly thought this bill out. I would hope that the government learns from this member. You can get support from the opposition when you deal in an open, effective, efficient manner to ensure that all citizens are protected.

This bill will allow for that in the city of Greater Sudbury, and so, Speaker, I stand before you to say I will be supporting this bill when it comes time for a vote. I thank the member for helping out my community, for ensuring that my community doesn't have to spend unnecessary dollars because of the wrong-spirited amalgamation that took place, that wasn't well thought out by the government. Again, I ask the government to learn from the member that there is a way to effectively pass legislation in a very, very short period of time, through consultation and meaningful opportunity for input, for the greater good of all.

Mr Howard Hampton (Kenora-Rainy River): I want to spend a few moments to talk about why I think this private member's bill has been brought forward. I think the public needs to understand what happened here.

Over the last six years, up until two months ago, we had a number of forced municipal amalgamations, where the provincial government, through the Minister of Muni-

cipal Affairs, basically took the position that from on high, from his office in Toronto, he knew best about how municipalities should be organized, about how municipalities should be forced to amalgamate; he knew best about what services should be provided in municipalities and how they should be provided.

So the government passed a number of pieces of legislation which have forced some municipal amalgamations in the province that frankly, in many cases, don't make a lot of sense. Or they've forced municipal amalgamations where, as the municipalities have tried to do what the minister from on high has ordered them to do, they've discovered that it's incredibly expensive, they've discovered that there are indeed direct and specific contradictions, and they've discovered that there are institutional obstacles that have to be overcome and there's no legislation which will help them do it. So ostensibly this private member's bill has come forward because in many cities, towns, municipalities across the province, forced amalgamation is a mess.

I think if we were real sticklers in this Legislature, if we as private members of the Legislature adopted the same position that Ministers of Municipal Affairs of the government have adopted, we would be taking the position that the government should fix its own mess. It was this government that created, in several municipalities across the province, not only problems with police services, but problems with fire services, problems with ambulance services, problems in terms of social assistance and so on and so forth. We would be saying to the government, "You created this mess. You forced municipalities into these amalgamations," which now, it occurs, not only did not make sense in terms of service delivery, but don't make any financial sense either, because in fact they are proving to be more costly. Bigger is not better, bigger is not cheaper; in fact, bigger is proving to be more expensive. If we were real sticklers and if we were following the kind of position that this government has traditionally taken, particularly the Minister of Municipal Affairs, we'd be saying to the government, "You created this mess. Now you fix it."

But the problem is that I don't think the government is willing to fix it, because that would require it to admit that it was wrong. It would require the government to admit that they didn't have all the answers, that their initial round of forced amalgamations in many cases was not thoughtfully prepared, was not well thought out and in fact has left municipalities, in many cases, in very serious circumstances, some would say in almost disastrous financial circumstances. So the government of the day doesn't want to admit that it badly misplayed this, didn't think it out very carefully and has saddled municipalities with some very difficult problems.

How do you escape from this? Well, what you do is you find a government member and you say to the government member, "Why don't you present this as a private member's bill? You'll save the government some embarrassment and you might even get some credit for doing something that needs to be done out there: bailing

the government out of some bad amalgamation decisions."

I think that's how we got here. I'll give the member, Mr Tilson, credit: this is needed legislation. In my riding, there are two cities, the city of Kenora and the city of Dryden, where, in effect—and these weren't forced amalgamations; these were what I would call gun-to-the-head amalgamations where the municipalities were told, "If you don't do this, the province will do it." So the municipalities, with a gun to their head, said, "I guess we better do this."

In each case it's proving to be expensive and it's proving to be cumbersome, and in each case now they have this problem with police forces. The rural municipality has traditionally been handled by the OPP and the former urban municipality has had its own municipal police force. It has created rivalries. It has created in effect, some would say, from the public perspective, a not very attractive competition. And it's resulted in something that's quite expensive.

There is a similar situation in Thunder Bay where they did make a decision under the present act without the proposed amendments, and now you have a situation where the OPP used to patrol the rural areas. In fact, they have a beautiful new command centre, a beautiful new set of offices, but they don't even patrol that area any more, because once the municipal amalgamations took place, the municipality was forced to decide, will it be OPP policing or will it be municipal policing? So now you have the municipal police, in effect, policing the area around where this brand new OPP command centre is located. So some real problems, some real sore spots have resulted.

This kind of legislation is needed. But I would hope that we would hear the member—since I think he's going to get virtually unanimous support from all sides of the House—say once again that this legislation is necessary because the government didn't think through its forced amalgamations and its gun-to-the-head amalgamations in the first place. If the government of the day had thought this through carefully, they would have recognized that they were going to create these scenarios: that it was going to create duplication, it was going to create rivalry, it was going to create conflict, in some cases it was going to result in an overexpenditure, in other cases it was going to result in the kind of duplication of services wherein you have ongoing additional costs.

So I would hope that we would hear him address that issue and that we would hear him point out that by taking action as a private member, he is actually saving the government from having to admit it didn't think it out very well or very carefully, and that the government has egg on its face now in several municipalities across the province because it didn't figure it out.

1130

How will this work? I suspect this will help some municipalities, but even with these provisions, at the end of the day I think we're still going to see municipalities caught in a difficult spot and I think I owe it to people to tell them why.

There's another issue here, and that is the degree to which, besides creating these conflict situations between OPP policing and municipal policing, the province has in addition downloaded all kinds of services on to municipalities without downloading any revenue sources. Even if this private member's bill passes, you're still going to have municipalities stuck in the situation where they're saying, "How can we find a way to get our policing costs down?" They have much more responsibility now, but they don't have additional revenue.

This provision will help some municipalities. It'll help them out of the difficult spot where you're actually seeing two police forces, the OPP and a municipal police force, forced into a sort of rivalry. It may create a truce for a while, it may create a peaceable space for a while, but the other reality is that municipalities, with the downloading of ambulances, seniors' housing, social housing, a major chunk of social assistance and a number of other issues, are going to be forced to try to find ways to amalgamate, eliminate, downsize, resize, all in an effort to provide these services without the financial resources necessary to finance the services.

In fairness to the member, his bill couldn't deal with that problem because a private member's bill cannot deal with finances, cannot deal with the appropriation of public funds. That's the other side of the problem, and I think that needs to be acknowledged here. This legislation will help. It will help some municipalities, but I would say it is only going to create a peaceable space for a while. Because of the added issue of downloading, municipalities are going to have to continue to find ways to amalgamate. For example, some municipalities are amalgamating fire service and ambulance service and calling them both emergency service, hoping they can do away with some positions or amalgamate some responsibilities.

That's just by way of evidence that this uncomfortable situation is going to continue for municipalities even with this legislation.

I would hope the member would acknowledge that if we're really serious about dealing with the badly thought out, some would say the thoughtless, forced amalgamations, his private member's bill will help some municipalities in the short term, but that the problem out there is much bigger, is much more expensive and will force municipalities into a continuing uncomfortable position.

It probably would have been better for the government to have brought forward legislation, because if the government had brought forward legislation, then we could have dealt with the whole problem. But I have to say again I understand why we will not see government legislation. We will not see government legislation because the government doesn't want to admit it created many of these problems. It doesn't want to admit that when it forced the amalgamations or put guns to the heads of the municipalities and said, "You must amalgamate," it had no answer, it hadn't considered these. The government won't bring forward legislation because then the other side of the envelope, the fact that services

were downloaded on to municipalities without downloading the revenues necessary to provide the services, all of that would be open for debate. That's why we won't see government legislation. That's why this issue will be handled, in effect, piecemeal by means of a private member's bill.

This will help, but I would say to the member that I think we are going to be back here time and time again over the next couple of years, dealing with other piecemeal issues, because I think you know, as I know, that there are several other contradictions in terms of municipal services that have been created out there by this government's ill-thought-out rush to force amalgamations.

Another way the government has admitted they didn't have all the answers and have created problems by doing this is that they admitted earlier this spring that as a government they're not going to force any further amalgamations. They were forced to admit they could not find any so-called cost savings from the forced amalgamations that have happened so far. Bit by bit, piece by piece, we're getting admissions that this hasn't worked.

I would say to Mr Tilson, the member who brought this forward, that I think we're going to be here on several occasions over the next couple of years dealing again with these issues in a piecemeal fashion, very likely dealing with issues, for example, of social housing, seniors' housing and ambulance services, very likely dealing with a number of other services that have been downloaded on to municipalities, or that have been forced on to municipalities through amalgamation or that have created problems in terms of service delivery because of forced amalgamation and the government doesn't want to acknowledge it, so I expect the acknowledgement will come through private members' bills.

Having said that, I congratulate the member for bringing forward something that is necessary. I think government members should congratulate him for saving the government from having to admit, in an embarrassing forum, that it didn't have all the answers, that in fact it had some very wrong answers.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join in the debate on Bill 59, An Act to amend the Police Services Act, put forward by the member from Dufferin, David Tilson. I'm going to speak in favour of the bill, and I would like to start my comments by commending the member for Dufferin-Peel-Wellington-Grey for his efforts on this legislation. I know he's worked very hard on this.

Bill 59 is a good bill that the government believes will benefit many communities throughout the province. The bill would amend the Police Services Act to add a further choice for municipalities that are considering, or will be considering, their policing options.

By allowing the option of hybrid policing, some remote or widely dispersed municipalities will be able to retain cost-effective hybrid policing arrangements.

For example, the Sudbury transition board and the task force on police services have identified an additional

\$2 million in costs to service northern communities in the newly amalgamated municipality, if required to use only one police service. These communities are currently policed by the Ontario Provincial Police. Bill 59, if passed, would allow Sudbury to choose to either expand its municipal service and incur the additional cost, or allow the OPP to continue policing these communities. This bill gives Sudbury and other municipalities that choice.

Bill 59 would also enable some communities that have a historic relationship with a police service to retain that relationship through a municipal amalgamation, subject of course to other relevant sections of the Police Services Act. The town of Lindsay within the city of Kawartha Lakes, for example, could fit these criteria. In some cases, a hybrid policing arrangement would allow a community to retain a police service they are familiar with and with which they are comfortable. This bill gives Kawartha Lakes and other municipalities that choice.

The government believes hybrid policing is now a viable option for municipalities because the government recently implemented new policing adequacy standards. Adequacy standards will ensure consistency throughout each municipality, including municipalities with a hybrid policing arrangement.

The Ontario Civilian Commission on Police Services is in place to ensure that each municipality is providing adequate and effective police services regardless of the policing option they choose. This is essentially about choice.

1140 As well, Bill 59 mandates a single police services board in hybrid policing arrangements. This single police services board will ensure consistency and prevent duplication. I know the Ontario Association of Police Services Boards is supportive of Bill 59. The hybrid policing option also has support within the policing community. For example, chief of police Terrence McLaren of the Peterborough Lakefield Community Police Service has stated, "I fully support the decision of local municipalities to have the right to choose their policing providers, and further, I believe that hybrid policing options should be made available as a choice." Bill 59, if passed by this Legislature, will provide municipalities with that choice.

There are some key components of this bill. It's a very short bill, because basically what it's providing is choice for municipalities with respect to the type of policing they want within their municipality. It's going to look at municipalities with remote or dispersed communities—for example, Sudbury or Timmins—and municipalities with historical policing relationships—for example, Caledon, Kenora, or Kawartha Lakes, where Lindsay is—and require governance by a single police services board in hybrid policing arrangements.

There are exceptions which would allow a municipality to contract with a neighbouring municipality's police service or the OPP with no contract, and therefore there is no police services board in an OPP situation.

So I believe the rationale for the bill is there and there are a number of advantages.

M. Jean-Marc Lalonde (Glengarry-Prescott-Russell) : C'est un plaisir pour moi de participer à ce débat ce matin sur le projet de loi 59, Loi modifiant la Loi sur les services policiers, pour permettre aux municipalités d'offrir leurs services policiers d'une autre façon.

Lorsque nous écoutons le débat depuis le début à 11 heures ce matin, je me pose plusieurs questions.

On réfère souvent à une commission de police. Est-ce que la commission de police va être appointée par le gouvernement ? Nous n'avons pas cette réponse. Actuellement, nous savons que le gouvernement actuel a le pouvoir d'appointer des commissaires siégeant sur les commissions de police. En Ontario, depuis les fusions, nous savons que la majorité des municipalités rurales sont maintenant desservies par la police provinciale de l'Ontario, même si actuellement la police provinciale dessert un certain nombre des municipalités. Mais je me rappelle que le gouvernement s'est impliqué dans le nombre d'officiers demandés par une municipalité.

Selon les critères qui étaient établis et selon les ressources que nous avions dans Glengarry, Stormont et Dundas, nous avions 51 policiers de la sûreté provinciale ou de la police provinciale de l'Ontario. Mais lorsque les comtés de Stormont, Dundas et Glengarry ont pris la responsabilité des services de police, le solliciteur général a dit, « Dorénavant, vous devez avoir 59 policiers. » Cela voulait dire 450,000 \$ à 500,000 \$ de plus pour les payeurs de taxes de la région, lorsque nous regardons que la politique de ce gouvernement est de délester et délester toujours aux municipalités, mais sans aide financière.

Si je regarde dans ce domaine, est-ce que cette nouvelle loi va vouloir dire que dorénavant—dans les municipalités, nous savons tous que nous avons des officiers de règlements. Est-ce que les officiers de règlements vont tomber sous cette commission ou est-ce que nous allons continuer à avoir deux services différents de protection ? Quand je parle de protection, nous avons les officiers de règlements pour les règlements municipaux, le stationnement local, et aussi des services de police concernant le code de vitesse, le Code de la route. Mais est-ce que la sûreté provinciale va continuer à donner les services pour les causes criminelles ? Lorsque nous avons transféré ces services aux municipalités, nous avons décidé que la police provinciale de l'Ontario s'occuperait des causes criminelles. Cela reste encore en suspens.

J'aimerais avoir la réponse aujourd'hui : premièrement, est-ce que les officiers de règlements vont se rapporter à la commission sous cette loi, et est-ce que la province va donner—

The Acting Speaker: The member's time has expired. Further debate?

Mr Doug Galt (Northumberland): Thank you very much, Speaker, for the opportunity to speak on Bill 59. My compliments to the member for Dufferin-Peel-

Wellington-Grey for bringing forward Bill 59, really a choice in the policing field.

It was a wise man who once said, "One should not undertake a task until one is willing to finish it." Since we took office in 1995, we've been committed to the regrouping of municipalities. Actually, it was nothing new at that point; that goes back to the last 30 years or so. But we recognize with the regrouping the savings in tax dollars, the improved efficiencies of municipalities and the reduction of the number of municipal politicians.

Certainly we recognize there's more work to be done, and that's particularly related to police services. I've certainly seen it in my riding. Right now Port Hope is joined with Hope township and they have two police forces. One is the OPP to Hope township, and the municipal police force to Port Hope. Indeed, that would be the preferable way to continue, I believe.

But also in Quinte West there was literally no resistance to the amalgamation: I received one phone call prior to the amalgamation. But when it came to putting the police force together and creating a common police force for those four municipalities that came in to form Quinte West, my phone lit up and the number of letters I received was quite significant. It had to do with which force; not with the kind of service that would be used, but it was, "My force is better than your force," and it created a lot of strife in the community. This bill would overcome that, because here would be the opportunity for a combination of two or more methods of policing, and that would be particularly true in communities where there had been a historical difference prior to the amalgamation.

There's no question that the number one focus of the member putting forth this bill is public safety. Since adequacy standards were brought in at the beginning of this year, January 1, 2001, there's a reduced need for having only one police service within a community.

The member has laid out some three criteria that would be required, and I think they're quite well put: (1) in municipalities with remote or dispersed communities; (2) in municipalities with historical policing relationships—for example, in my riding; and (3) require governance by a single police services board. That makes an awful lot of sense. He's using the term in the bill of "hybrid" policing, and this seems like a very logical and descriptive term to be using.

I mentioned a few minutes ago about the amalgamation of Hope township and the town of Port Hope: they're still struggling with the name for the amalgamated community. But here is a good example where I believe hybrid policing could work, if that's the desire of this new municipality.

I'd like at this time to congratulate the communities in my riding that have amalgamated. They've come a long way from having a county council of some 30 members a few years ago to a county council now of some seven. There are now seven municipalities in Northumberland. In Quinte West, which is also part of my riding, four municipalities there came together. So they've come a long, long way in restructuring.

There was a minister's order back on March 28 that would establish a transition board and also a police task force that deals with this issue. Of course, there's not the authority to put it in place until the new council decides just how that should be.

Amalgamations have for the last 30 years been a very delicate issue in rural Ontario, but there's no question of the advantages of them coming together with the reduced taxation, with the savings that have occurred. You can look across Ontario and see the tremendous savings that have occurred.

I support this. It's certainly a big step of efficient government that the Harris government has been promoting for some time, so I certainly support this single police board. The one police force is not necessarily the right or necessary route to go. The importance is that there be common standards for all the police to work by, so I can very enthusiastically support the bill put forward by the member for Dufferin-Peel-Wellington-Grey.

1150

The Acting Speaker: The Chair recognizes the member for Simcoe North.

Mr Garfield Dunlop (Simcoe North): Thank you very much, Mr Speaker, and my congratulations on seeing you in the chair this morning. You seem to be doing a fine job and it's great to see you there.

I'd like to thank you for allowing me to speak to Bill 59, An Act to amend the Police Services Act, and I thank the member for Dufferin-Peel-Wellington-Grey for bringing forth this legislation. I know the member has worked hard on researching the bill. I commend him for his efforts on that and on presenting the bill today. I would also like to thank the members for Barrie-Simcoe-Bradford and Northumberland for their comments from our side of the caucus today, as well as the people from the opposition who have spoken in favour.

This bill, if passed, would amend the Police Services Act to allow municipalities an additional choice in the way they provide police services to their constituents.

It's my understanding that section 5 of the current act requires that municipalities provide police services by means of only one of a number of listed methods. This bill would allow municipalities to combine two or more methods where the municipality contains remote or widely dispersed communities, or where police services have historically been provided by a different method in a discrete area of the particular municipality.

I feel that the result of this type of amendment would allow municipalities to maintain cost-effective hybrid policing situations, which would save millions of dollars in taxpayers' money when implemented right across our province. Our government and the people of this province expect us to do everything we possibly can to help save taxpayers money, and that is one reason why I will be supporting this bill today.

The bill would also allow relevant communities to retain police services with which they are comfortable and allow them to avoid potential divisiveness of amalgamation or disbandment.

Our government understands the dangerous work that men and women in the police services across this province do every day.

Simcoe North, my riding, is the home of the Ontario Provincial Police general headquarters. I have the chance to meet many of these men and women on a daily basis. I would like to take this chance today to talk a little bit about some of the important projects that the OPP have done locally, but that have also helped to improve public safety across our province.

For example, during the winter months the OPP performs an important role in patrolling the many snowmobile trails that criss-cross our province, thousands and thousands of kilometres of snowmobile trails. The OPP is involved in a partnership with the Ontario Federation of Snowmobile Clubs to improve safety on our snowmobile trails. The snowmobile trail officer patrol consists of volunteer and sworn special constables who patrol snowmobile trails and assist police officers conducting spot checks. The OFSC provides funding for the program, while the OPP assists by providing training and police officers.

RIDE checks apply to snowmobile trails. During the 1998-99 season, where there were 32 fatalities in the province, with 26 of those in OPP jurisdiction, alcohol was involved in 59% of those recorded fatalities. We as a government look forward to working on public safety to avoid the amount of alcohol that's being used on our roads and waterways as well as the snowmobile trails across our province. During the 1999-2000 season, there were 16 fatalities in the province, with nine being in the OPP's jurisdiction.

In the summer months the OPP patrols all of our roadways, of course, but they play a very important part in the waterways across our province.

I just wanted to say, when we're talking about the amalgamation of municipalities, that in Simcoe county, in my riding, we amalgamated in 1993-94. We were very fortunate with the way the police services unwound, and today we have the OPP as well as the Midland police services and the Barrie police services and the south Simcoe services looking after most of the policing in Simcoe County. As an example of some of the good work they do, and it follows on our Safe Schools Act, just recently a partnership was put forward between the public board and the Catholic board, as well as all the police services in Simcoe county, to put a proposal together so that the boards could meet the initiatives of the Safe Schools Act.

Mr Speaker, I'd again like to take this opportunity to thank you for allowing me to say a few words today. I will be supporting this bill from Mr Tilson. I forget his riding, where he's from, already.

The Acting Speaker: The mover of the motion has two minutes to reply.

Mr Tilson: I appreciate all members of the House who are participating in the debate.

A couple of weeks ago, as parliamentary assistant, I made a presentation to the Ontario Association of Police

Services Boards, which was holding a small convention here in Toronto. I spoke about a number of things, mainly Attorney General-related, but at that time I also referred to this bill, which I had been working on for some time. As a matter of fact, I had been working with some of the people at the convention. So in response, I'd like to read a letter that was sent to me by the president, Tom Laughren, dated June 12, with respect to this bill.

"Thank you for taking the time from your busy schedule to speak at our annual conference in Toronto on May 25th. It may interest you to know that there were over 500 delegates at our conference representing police leaders and members of police services boards from across this great province. Your words were well received by our members and we were particularly pleased to hear of your private member's bill, Bill 59. The Ontario Association of Police Services Boards considers this an important piece of legislation that will give municipalities an additional choice in the provision of policing. Police services boards have long been the trustees of the public interest for policing at the local level. Your legislation will further enable boards and councils to exercise this trusteeship with local circumstances in mind.

"The board of directors of the Ontario Association of Police Services Boards passed a resolution supporting Bill 59 at their meeting Thursday May 24th, 2001. We urge your colleagues in the House to join you in support of your bill."

It appears that that support is here in the House. I will say that members of the opposition did comment about restructuring. They're fair to do that; that's their job. However, since that time the new adequacy standards have come in with respect to policing, on January 1, 2001.

The Acting Speaker: The time provided for private members' business has expired.

IPPERWASH PROVINCIAL PARK

The Acting Speaker (Mr Steve Peters): We will deal first with ballot item number 13, standing in the name of Mr Phillips. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will say "nay."

In my opinion, the ayes have it.

We will have a recorded vote.

POLICE SERVICES AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI SUR LES SERVICES POLICIERS

The Acting Speaker (Mr Steve Peters): We will deal next with ballot item number 14. Mr Tilson has moved second reading of Bill 59, An Act to amend the Police

Services Act. Is it the pleasure of the House that the motion carry? The motion is carried.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I would ask for consent of the House to order this bill for third reading.

The Acting Speaker: Is there unanimous consent? There is not consent.

Pursuant to standing order 96, the bill is referred to the committee of the whole House.

Mr Tilson: I'd request that the bill be referred to the standing committee on justice and social policy.

The Acting Speaker: Agreed? Agreed.

IPPERWASH PROVINCIAL PARK

The Acting Speaker (Mr Steve Peters): We will now call in the members; this will be a five-minute bell.

The division bells rang from 1200 to 1205.

The Acting Speaker: Mr Phillips has moved private member's notice of motion number 7.

All those in favour of the motion will please rise.

Ayes

Agostino, Dominic	Crozier, Bruce	Levac, David
Bartolucci, Rick	Dombrowsky, Leona	Marchese, Rosario
Bountrogianni, Marie	Duncan, Dwight	McGuinty, Dalton
Boyer, Claudette	Gravelle, Michael	McLeod, Lyn
Bradley, James J.	Hampton, Howard	Phillips, Gerry
Bryant, Michael	Hoy, Pat	Ruprecht, Tony
Caplan, David	Kennedy, Gerard	Sergio, Mario
Colle, Mike	Kwinter, Monte	Smitherman, George
Conway, Sean G.	Lalonde, Jean-Marc	
Cordiano, Joseph	Lankin, Frances	

The Acting Speaker: All those opposed, please rise.

Nays

Arnott, Ted	Hastings, John	O'Toole, John
Baird, John R.	Hudak, Tim	Sampson, Rob
Barrett, Toby	Johns, Helen	Snobelen, John
Chudleigh, Ted	Johnson, Bert	Spina, Joseph
Clark, Brad	Klees, Frank	Sterling, Norman W.
Clement, Tony	Mariand, Margaret	Stewart, R. Gary
Coburn, Brian	Martiniuk, Gerry	Stockwell, Chris
DeFaria, Carl	Maves, Bart	Tascona, Joseph N.
Dunlop, Garfield	Mazzilli, Frank	Tilson, David
Ecker, Janet	Miller, Norm	Tsubouchi, David H.
Elliott, Brenda	Molinari, Tina R.	Turnbull, David
Galt, Doug	Munro, Julia	Wettauer, Wayne
Gilchrist, Steve	Murdoch, Bill	Witmer, Elizabeth
Gill, Raminder	Mushinski, Marilyn	Wood, Bob
Hardeman, Ernie	Newman, Dan	Young, David

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 28; the nays are 45.

The Acting Speaker: I declare the motion lost.

All matters relating to private members' public business having been completed, I do now leave the chair and the House will resume at 1:30 pm.

The House recessed from 1208 to 1330.

MEMBERS' STATEMENTS

WATER EXTRACTION

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): At the present time there is a court case underway where the Ministry of the Environment is arguing that it does not have to consider its own statement of environmental values when making decisions on water-taking permits because these values are not enshrined in legislation. In this case, a permit to take water was granted which allows a company, OMYA Canada, to remove up to 4.5 million litres of water a day. No environmental impact study was conducted, and local residents who are appealing the permit say the ministry has ignored its own statement of environmental values by not taking an ecosystem approach to the decision to grant this permit. My private member's bill, Bill 79, will incorporate the statement of environmental values into the Ontario Water Resources Act, ensuring that future ministry decisions consider the impact on the ecosystem.

Water is one of our most vital resources. It gives sustenance to our families and nourishes our crops. Ontario needs policies and legislation that will protect our water and give consideration to the interests of those who might be impacted by any changes to the groundwater supply. I urge all members of the Legislature to make a clear commitment for our environment. On June 28, support the second reading of Bill 79, the Water Source Protection Act.

KIDS' FISHING DAY

Mr Jerry J. Ouellette (Oshawa): I'd like to congratulate the volunteers from the Durham region who assisted in putting on Kids' Fishing Day. The event took place Saturday last at the Kendal Hill crown land site, where we were able to bring out over 400 children who typically have not had the opportunity to enjoy the outdoors.

I'd like to thank the organizers from the Clarington Big Brothers and Big Sisters, the Scouting troops from Clarington and also the organizers and volunteers from the Eastview Boys and Girls Club, the Northview Community Centre, Simcoe Hall Settlement House, the YWCA, the Oshawa Community Health Centre, and the South Oshawa community policing officer, Chris Partridge.

As well, I'd like to thank the large number of site volunteers from the South Central Ontario Big Game Association and the Clarington game commission, who worked with the organizers, the Pickering Rod and Gun Club for handling the lunch, the Orono Fish and Hunt Club for taking care of first aid and the Ajax Rod and Gun Club for taking care of parking arrangements.

On Saturday we were able to provide over 2,400 recreational hours of outdoor activity, including of course fishing, and a special treat of seeing a turtle coming up

and laying its eggs. We had a nature trail hike, where the Metro East Anglers explained the various bird calls and insect and plant life. My wife, Dianne, and my sons, Josh and Garrett, did a great job running the kids' frog pond, where kids learned about marsh life and activities. All in all, hundreds of kids had the opportunity to enjoy the outdoors, just be kids and learn of the great circle of life. And, I might add, there are still hundreds of rainbow trout available to be caught at the Kendal Hill crown land site.

NURSING HOMES

Mr Mario Sergio (York West): In events of the last few days we have seen two very tragic situations. In my own riding of York West a nursing home, Casa Verde, lost two seniors. Two residents of that particular home were killed by one of the other residents. A third member of the house is in serious condition, and I also feel for that particular person. My condolences to the members of the families, to all who live in that particular home and to the staff of Casa Verde as well. I think this goes to all the residents of the other nursing homes in Toronto and in the rest of Ontario. I think this is a wake-up call for our own government here in Ontario.

The other tragic situation, the other shock, is the accusation and the continuous attack of the Premier of Ontario on the most vulnerable, the most feeble people, the seniors in Ontario. It is as if it is their fault our health care system is in such a dreadful situation. It is not our seniors' responsibility; it is the responsibility of the Premier and this government to provide the necessary care so that our seniors can live in good, clean conditions in those nursing homes.

GEORGINA BUSINESS EXCELLENCE AWARDS

Mrs Julia Munro (York North): I rise today to pay tribute to the town of Georgina in its efforts to recognize the importance of businesses, both large and small, in my riding of York North. On May 30 of this year, I had the pleasure of attending the second annual Georgina Business Excellence Awards gala. This year the gala was appropriately titled Aiming for the Stars, which is what these entrepreneurs do every day by making their businesses successful and beneficial to our community.

I would like to take a moment and acknowledge the six winners. Congratulations to La Rue's Haulage for their excellence in community service; the Briars Resort Inn, Spa and Conference Centre for excellence in large business; Apples of Gold Gift Shop for excellence in small business; Lockmar Farms for excellence in agribusiness; the Queensway Marketplace for excellence in customer service; and Gallacher's Catering, which received the young entrepreneur award.

As pointed out by the mayor of Georgina, Jeffrey Holec, we do not often get the opportunity to acknowledge our entrepreneurs and their staff, who offer so much

to the community in the form of friendly service, good products and community giving. The Business Excellence Awards do just that.

NORTHERN CANCER TREATMENT

Mr Rick Bartolucci (Sudbury): "Fundamentally unfair" and "improperly discriminatory"—these and similar phrases are peppered throughout Ombudsman Clare Lewis's report on cancer travel funding. This report today offers vindication to northern residents who have lobbied for over a year to end the discriminatory treatment being foisted upon northerners.

For one year northerners have been petitioning this government to end the health care apartheid. For one year, Gerry Loughheed Jr and Ontarians Seeking Equal Cancer Care have lobbied this government. For one year Janice Skinner and René Boucher have asked this government to end the health care apartheid that has been practised in this province when it comes to northerners travelling for health care. This government turned a deaf ear to them. In fact, the Premier mocked them in Sudbury, Sault Ste Marie and North Bay, and in Thunder Bay where he is today, saying it was southerners who were being discriminated against.

However, Clare Lewis clearly states today, "The current situation is fundamentally unfair." His conclusion is that it is "improperly discriminatory." His conclusion for this government is to end the health care apartheid now. My question is, when will this government do it?

PERSONAL NEEDS ALLOWANCE

Mr David Christopherson (Hamilton West): I rise today to give voice to a group of individuals in Hamilton who held a news conference this morning and who presented petitions to me with 3,000 signatures. There's a delegation here today in the members' gallery. What they're seeking from this government is justice.

I'm talking about vulnerable individuals, most of whom have one disability of another, who are in lodging homes, retirement homes or special care facilities. They receive what's called a personal needs allowance. That means that after their basic expenses for lodging and food are covered, they get \$112 a month to live on. That's everything for all their personal toiletries, clothing and whatever sort of social life one can eke out of \$112 a month. The fact of the matter is it has been \$112 a month since it was last increased by our government in 1991.

Since then this province has seen the biggest economic boom North America has ever enjoyed. These individuals didn't get one penny of it. But you had billions of dollars, yes, billions of dollars to give to your corporate friends and your rich friends. The most vulnerable people in our society didn't see a single penny. They're entitled to justice; they're entitled to dignity; they're entitled to a decent living, and you have an obligation to provide it.

I'm going to ask Christopher to take this report and put it on the Premier's desk. Maybe he'll read it and maybe these people will get some justice around here.

Interruption.

The Acting Speaker (Mr Bert Johnson): I want to be very clear. There's absolutely no demonstration in any of the galleries. In spite of what you may see on the floor of this House, these members will be basically going by the rules that are laid out. One of the rules they've laid out is that there's absolutely no demonstration. I wanted to make that clear because it's very important.

Mr Christopherson: On a point of privilege, Mr Speaker: Since this delegation is from my home community, obviously they feel strongly about this issue, but I would like to give you my personal assurance that that will be the last outbreak. They were here to make a point and not to do any other disruption.

The Acting Speaker: The point should have been made before.

1340

GRAND VALLEY LIONS CLUB

Mr David Tilson (Dufferin-Peel-Wellington-Grey): It's my pleasure to stand in the Ontario Legislature this afternoon to acknowledge the 50th anniversary of the Grand Valley Lions Club, located in my riding of Dufferin-Peel-Wellington-Grey.

The Grand Valley Lions Club will be holding a special anniversary banquet this weekend to mark this important anniversary. My wife and I will have the pleasure of joining Lion members on Saturday to celebrate their work within Grand Valley and to thank them for their efforts.

This service club has been an active booster of the Grand Valley community and has supported many worthwhile projects that have benefited all residents. A small sampling of their work includes their ongoing commitment to support the local Headwaters Health Care Corp and the Grand Valley Medical Centre, both of which have been an important part of the Grand Valley Lions fundraising efforts. The building of the arena, and more recently the addition of an elevator, as well as support and maintenance of the ball park and tennis court, is beneficial to all sports-oriented Grand Valley residents.

The Lions motto, "We serve," is very appropriate for this local group of committed individuals who volunteer their time and energy to improve their community. On behalf of the province of Ontario and the Grand Valley community, I congratulate President Paul Clements and all the Grand Valley Lions members, both past and present, for your commitment and wish you another 50 years of great work in your community.

VISITOR

Mr Ted Arnott (Waterloo-Wellington): On a point of order, Mr Speaker: I'd like to recognize the presence

in the chamber in the east gallery of Mr Andrew Turnbull of Toronto. Welcome, Andrew.

The Acting Speaker (Mr Bert Johnson): That is not a point of order.

NORTHERN CANCER TREATMENT

Mr Michael Gravelle (Thunder Bay-Superior North): I don't think any of my northern colleagues would disagree with me when I say that the one issue that has united us all has been the battle to remove the discrimination faced by northerners who must travel outside their own communities for medical treatment, yet only receive a subsidy through the northern health travel grant.

This issue certainly came to a head last year when the Ontario government announced they would pay 100% of the costs for southern Ontario cancer patients who had to travel to northern cancer centres for their treatment. This discriminatory treatment outraged every northerner, and despite a massive petition campaign and endless questioning in the House from all of us, we're beginning to think that nothing can stop this government from treating northerners as second-class citizens.

That is, until today. The provincial Ombudsman's report that describes the Ministry of Health's policy related to funding travel for northern breast and prostate cancer patients as "improperly discriminatory" is nothing less than a true vindication for everyone who has fought this battle. While it is only a first step, it is a momentous one, because it finally acknowledges the unfairness and inadequacy of the northern health travel grant in a very specific way.

While I hope the Minister of Health will accept the Ombudsman's final recommendation that he should provide equal funding to all breast and prostate cancer patients who must travel for treatment, I also want to send a message to Premier Harris, who is up in Thunder Bay today: Premier, do the right thing. Announce tonight that you will accept the Ombudsman's conclusion and that you will put an end to this long-standing discrimination against northerners.

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): On a point of order, Mr Speaker: The member for Waterloo-Wellington stood up and recognized Mr Andrew Turnbull. What he failed to add to that was that he's a recent graduate of Queen's and is the son of the Solicitor General, David Turnbull.

The Acting Speaker (Mr Bert Johnson): That is not a point of order, but we welcome him in any case.

BOWMANVILLE MUSEUM

Mr John O'Toole (Durham): I rise again today in the House to talk about the marvellous work being done in my riding of Durham; for instance, to preserve our rich heritage.

For four generations now, the Bowmanville Museum has followed its mandate of preserving our rich heritage for future generations to enjoy. This year marks the 40th

anniversary of the Bowmanville Museum. The museum has actively been archiving information with the help of volunteers like Doris Falls and Lois Whitfield, and preserving memorabilia showcasing Bowmanville's rich heritage.

The museum, located in one of the more beautiful and older sections of the town, was established through the generosity of Sarah Jane Williams and her late husband in the late 1950s, when she donated \$50,000 to the town to set up the museum. The museum continues to garner strong community support and last year received a community museum operating grant of over \$10,000 from the province of Ontario.

Over the years, the Bowmanville Museum has become a favourite visiting place for residents and tourists alike because of its dedication to detail of the early 1900s, its unique antique doll collection, and fun family events such as the annual Canada Day celebration and various craft shows.

Congratulations on the 40th anniversary go to the curator, Charles Tawes, and Ellen Logan, a tireless supporter who has worked to make this museum a vital and central part of the community.

In this year of the volunteer, I would like to mention just a few of the serving volunteers from the Friends of the Museum committee: Susan Laing, Jane Wright, Florence Griffin, June Clark, Winifred Considine and Richard Grey, who is a student volunteer, as well as Diana Hutchinson and Larry Paradis, who served for many years on the board. By the way, I served with him on that board; it was a pleasure.

With the summer soon with us, I urge Ontarians to take some time out not only to visit Bowmanville Museum but their local museum to explore our rich provincial heritage.

SPECIAL REPORT, OMBUDSMAN

The Acting Speaker (Mr Bert Johnson): I beg to inform the House that today laid upon the table is the report of the Ombudsman on his investigation into the Ministry of Health and Long-Term Care's funding for breast and prostate care patients who must travel for radiation treatment.

INTRODUCTION OF BILLS

UNITED COUNTIES OF PRESCOTT AND RUSSELL ACT, 2001

LOI DE 2001 SUR LES COMTÉS-UNIS DE PRESCOTT ET RUSSELL

Mr Lalonde moved first reading of the following bill:

Bill 83, An Act to permit municipal regulation of peat disturbance and extraction in the United Counties of Prescott and Russell / Projet de loi 83, Loi autorisant la réglementation municipale de la perturbation et de

l'extraction de la tourbe dans les Comtés-Unis de Prescott et Russell.

The Acting Speaker (Mr Bert Johnson): Is it the pleasure of the House that the motion carry? It is carried.

Does the member wish to make a short statement?

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): The bill gives authority to the municipal council of the corporation of the united counties of Prescott and Russell to pass bylaws to control peat extraction within the counties.

1350

ORAL QUESTIONS

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: We were informed today that the Minister of Health would be here for oral questions. Is he coming in, Mr Speaker?

The Acting Speaker (Mr Bert Johnson): That is not a point of order. You may set it down, but I will proceed.

EDUCATION FUNDING

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Education. Yesterday, before the committee considering your private school voucher program, appeared a very important individual representing a group of significant experts. In fact you might go so far as to call them the architects of the modern public education system here in Ontario. Among that group were four deputy ministers, at least a dozen board of education directors and some superintendents. A tremendous amount of expertise went into the preparation of this presentation and they offered some very important insights which I wanted to give you an opportunity to consider and to comment on here today.

They particularly said the following: that your policy "will encourage more parents to seek education for their children outside of the public system." They said, "A vicious circle will be instituted: reduced enrolment will lead to less funding and will thus lead to a reduction in programs which will encourage parents to consider alternatives and will thus"—

The Acting Speaker (Mr Bert Johnson): Question?

Mr McGuinty:—"lead to reduced enrolment."

This tremendous collection of public education expertise is telling us that your policy is going to lead to less funding and less enrolment, which in turn will lead to less—

The Acting Speaker: Thank you. Minister?

Hon Janet Ecker (Minister of Education, Government House Leader): First of all, I appreciate that many of the people there were very distinguished representatives from governments of days gone by who built a public education system that along the way, however, was a system that, when we went out to the people in 1995 and said that system needed significant change, the voters of this province agreed.

The voters of this province said that despite the good work those people had done to build a good public education system, they agreed that a better curriculum had to be in place, that a tougher and more rigorous curriculum had to be in place. The voters agreed with that. They agreed that despite the work of these architects the honourable member mentions, we needed testing to make sure that our students were learning the new curriculum. So while they did build a lot of very good things in the system, we also found that the voters recognized the need—

The Acting Speaker: Thank you. Supplementary; the leader of the official opposition.

Mr McGuinty: I cannot believe you are giving the appropriate weight to the authority found in this presentation. Listen to what else they said about your policy, these four deputy ministers, people who themselves have shepherded legislation through this Legislature and laid the development of the modern education act. They said the following:

"It has been the public school system, and the public school system alone, that has tried, with considerable success, to accommodate all these diversities by developing a number of strategies to encourage people to live peacefully with one another's differences.

"Our blunt fear is that ... the proposed measures will produce in the fairly near future an increase in racism and religious intolerance. This will not come about through deliberate fomentation but through ignorance and fear of the unknown."

These experts are telling us, Madam Minister, that your policies will breed intolerance and racism. Who should we trust in these matters: you, who tell us that you have no studies, no reports, or these experts?

Hon Mrs Ecker: It's not a question of asking about trusting the government. It's a question about trusting parents. If the honourable member is asking us to believe that parents are going to put their children in situations that are not good for them, that those parents, who are going to make judgments and decisions about choice for their children—I know the honourable member of the opposition here does not trust those parents. He also clearly doesn't trust those independent schools, some of which are in his own riding, that have values that respect the Muslim faith, the Christian faith, the Hindu faith, that have values that respect alternative forms of education. Maybe the honourable member does not trust those schools to do what's in the best interests of children, but on this side of the House, we do trust parents in terms of making the best choice for their children. That's what this proposal does. It respects that parental—

The Acting Speaker: Thank you. Supplementary.

Mr McGuinty: Madam Minister, as to the issue of trust, clearly we don't trust you and Ontario parents don't trust you when it comes to protecting public education for our children. By the way, that's the place where 96% of our kids happen to go. We don't trust you to protect their schools and their education. That's what this issue is

all about. These very reputable experts, who devoted their lives to public education, said the following:

"Significant public hearings should be undertaken to assess the public reaction to such a dramatic shift in education policy.

"This precipitous action was not included in the mandate that this government was given in either the most recent election or the one before.... How else can we describe this action but undemocratic?"

Very strong language. Why are you proceeding with a policy—

The Acting Speaker: Minister.

Hon Mrs Ecker: First of all, this government respects other people's views. Obviously the honourable member has some difficulty with that. We do understand that feelings and views around this particular proposal by the government are very strongly held by people. We don't disagree with that.

This government brought forward higher standards for the public education system. Why? Because the work that those experts he quotes, while it started off very well, I'm sure, when we went out to the people in 1995, the people said, "The public education system in this province is important to us, the values are important to us, but changes need to be made. There need to be higher standards. There need to be tests. There needs to be a better curriculum." It's interesting, those architects of public education, as he describes them, did they come out and support us when we did that? No, but when we put forward a proposal that respects parental choice—

The Acting Speaker: Thank you.

NORTHERN CANCER TREATMENT

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Minister of Health. The Ombudsman of Ontario, Clare Lewis, tabled a report today which is, in a word, damning of your government's discriminatory policy when it comes to treatment of northern Ontario families whose members happen to suffer from cancer. In his conclusion the Ombudsman says, "The Ministry of Health and Long-Term Care's omission to provide equal funding for breast and prostate cancer patients who must travel for radiation treatment is improperly discriminatory."

Will you now admit, Minister, that you and your government have on the law books of Ontario a policy that is clearly discriminatory and will you undertake now to correct this discrimination?

Hon Tony Clement (Minister of Health and Long-Term Care): I thank the honourable member for the question. Indeed, from our perspective, we take the words of the Ombudsman quite seriously. Obviously he has tabled a report today which we are now privy to as parliamentarians. We will certainly take his views seriously and under advisement. In our view, the view stressed by the Premier for a considerable period of time, we want a fair and just policy when it comes to these kinds of issues. We are indeed seized of the issue and

will report back when we have a fairer and more just way to deal with it than the one identified by the Ombudsman.

Mr McGuinty: Minister, this could hardly have come as a shock to you. The policy you've got on the law books today in Ontario says that if you live in northern Ontario and you've got to travel for your cancer treatment, you get 30.5 cents a kilometre one way, and that's it. But if you live in the south and you have to travel for cancer treatment, you get your full cost of transportation, you get your meals and you get your accommodation. Clearly, for all who have considered this matter, whether you live in the north or you live in the south, this is patently unfair and discriminatory.

The question I've got for you on behalf of northern Ontario families is: how much longer are they going to have to wait? Why can't you announce here today in your place that you will no longer tolerate this, you're going to fix it today?

1400

Hon Mr Clement: We are seized of the issue. We have the report in our possession now, just as the honourable member does. From our perspective, we want something that works for all Ontarians, northerners and southerners and individuals who find themselves afflicted with this terrible disease. So we are seized of the issue. We want a fair and a just solution. The moment we have one that works better than the ones that were constructed before we got into office, we'll be the first ones to table it.

Mr McGuinty: Minister, your government has presided over this discriminatory policy for years now. Hundreds of northern Ontario families have felt the undue financial hardship as a result of your discriminatory policies. We've had people presenting you with petitions. Gerry Loughheed has worked day and night putting forward his position on behalf of northern Ontarians. My caucus colleagues in the north have been working very hard to correct this policy. We are waiting for you to do something.

Minister, I have something else to ask of you on behalf of northern Ontario families, particularly those who've already been subject to your discriminatory policies. Will you reimburse them as the result of this discrimination that you have today in the province of Ontario? Some of our families have had to pay \$30,000. The question to you now, very directly, will you reimburse northern Ontario families who've been subjected to your discriminatory policies?

Hon Mr Clement: As I say, we received the report today. One of the issues of the report which had to be altered, I suppose, was as a result of the fact that there are no more re-referrals out of province as a result of some new policies by Cancer Care Ontario and by the government of Ontario. But when it comes to the matters that are found in the report, of course we're now seized of that. Again, we want a fair and a just solution that works for all of Ontario. We're not trying to divide northerners from southerners, or trying to say that northerners should be treated better or worse than southerners. All Ontarians

should be treated equally and perhaps the honourable member, when he is not on his flight of rhetoric, can concede that and be part of the solution.

EDUCATION FUNDING

Mr Rosario Marchese (Trinity-Spadina): My question is to the Minister of Education. A damning report released today by an economist, Hugh MacKenzie, proves that you are starving—

Interjections.

The Acting Speaker (Mr Bert Johnson): Order. I want to hear the question, and if I can't, I'm going to have to rectify it. Please allow me to hear the person who has the floor. The Chair recognizes the member for Trinity-Spadina.

Mr Marchese: This study proves that you are starving our schools while you feed the wealthy with income tax cuts. It's an indictment of your funding formula that has ripped \$2.3 billion from our public schools, that has hammered communities with school closures, fired caretakers and teachers—insufficient textbooks and computers, and so much more. These are staggering cuts we're talking here, and you plan to suck more money about of the public system with your scheme to fund private education.

Other than the religious communities that came into the hearings, people were saying to you they want you to end this scheme and reinvest in public education. Are you going to do that?

Hon Janet Ecker (Minister of Education, Government House Leader): First of all, that report certainly did outline terribly staggering cuts, which this government does not support. I'm very pleased that the honourable member has raised it so that we, all three parties, can clearly say that we would not support such an action, because no one has taken such an action.

Clear, accurate, audited figures clearly show that education spending in this province was \$12.9 billion when we came into this government. It is now \$13.8 billion. That is a growth of new dollars into the public education system, a growth beyond enrolment. This year alone over 360 million new dollars have been invested out there for our classrooms, and we will continue to put money into the public education system because it's a very important priority.

Mr Marchese: Minister, Anna Germain, who came to the hearings this morning, said, "I am sick and tired of listening to people like you and your other members who say you haven't taken any money out of our public education system. I'm a parent and I see the cuts daily." She's sick of hearing those comments from you.

You clearly have taken out, and the hard numbers show you've taken \$2.3 billion out of the education system. You slashed the Toronto public board budget by 20%. It's you, not some imaginary government, who have done that. You've cut \$1 billion from urban boards across Ontario.

Now you plan to rebattle this \$300 million more by offering an incentive of a tax credit to get people out of

the public system and put them into private schools. Those people are saying, "My number one priority is investment in education, not public dollars for private schools." Are you going to let them down?

Hon Mrs Ecker: We have listened to that. We have put more money into our public education system, over 350 million net new dollars in this one year alone. That's a one-year increase; that's on top of the several hundreds of millions that we put in last year.

I understand that there are still pressures in our classrooms. We are asking school boards to make the same kinds of priorities, decisions around priority-making to live within a budget, just as we all do in a household or any kind of organization budget. But not only is there more money there; is it enough? I understand there's disagreement about that and I wouldn't disagree with a board that says they want enough. They've always said that, I understand that it is their task to push for that, and they will continue to do that. But there is more money in classrooms.

We have fewer school boards, fewer school board bureaucracies because parents were very clear: "Don't waste money on Taj Mahal office buildings. Let's put the money in classrooms." So there's over \$800 million more—

The Acting Speaker: Final supplementary.

Mr Marchese: Please, Minister, school boards are not the problem. They don't control education financing any more. You do. You control all the money, so you can't blame them any longer. Anna Germain is angry at you and all the committee members who say that you have not cut money out of the education system. Teachers are angry at you and the parents who've witnessed and experienced the cuts will not be deceived any longer by you.

You have taken \$2.3 billion out of the educational system and your scheme to fund private schools is a death blow to our public schools. That's what they're telling us. That's why 1,000 people wanted to speak at the public hearings whom you have shut out from those hearings. People directly hurt by these cuts need to be heard. While you have cut short the hearings and deputants, we and they demand that you listen to their request to support public education, reinvest in public education and end public dollars to private schools. Will you listen to them?

Hon Mrs Ecker: I appreciate the honourable member's passion on behalf of public education. It happens to be one that he and I share. That's one of the reasons we've increased spending for the public education system. It's one of the reasons that we are setting higher standards through a better curriculum, standardized testing, report cards parents can understand, a comprehensive teacher testing program, accountability to parents, parental choice and knowledge upon which to make that choice in the public education system.

The biggest threats to public education in this province are those individuals who continue to allow politics to disrupt the classroom. That is the biggest threat to edu-

cation, the thing that teachers and parents and students complain to me about. That is what the biggest threat is, not the increased dollars we will continue to put in a public education system.

NORTHERN CANCER TREATMENT

Ms Shelley Martel (Nickel Belt): I have a question to the Minister of Health. Today northern cancer patients have been vindicated. On October 31, I wrote to the Ombudsman on behalf of Anna Watson and Gladys Whelan of Fort Frances, Ontario, and I asked him to initiate a special investigation of your government's discrimination against northern cancer patients. On December 13 the Ombudsman replied that he would conduct this same investigation.

Today Clare Lewis submitted his report to you, and he said that your omission to provide equal funding for breast and prostate cancer patients who must travel for radiation treatment is improperly discriminatory. His remedy is that you should equally fund northern cancer patients too.

Minister, will you finally do the right thing and immediately, retroactively reimburse those northern cancer patients for 100% of the costs they incurred to access cancer treatment too?

1410

Hon Tony Clement (Minister of Health and Long-Term Care): I can tell you we have been reviewing, to be fair and just to all Ontarians, both the cancer referral system and the northern health travel grant, a program and a methodology that the NDP created with all of its inequities. This is exactly what we're trying to fix.

The honourable member was part of a government that set the system up. Now she decries the system. I find that a bit inconsistent, but certainly from our perspective we do want a more fair and a more just system to replace the system that the NDP created.

Ms Martel: This issue has nothing to do with the northern health travel grant and your answer is unacceptable. Your government, in April 1999, set up a special program to help to fund 100% of the costs of the travel, the food and the accommodation for southern Ontario cancer patients to access care far from home.

You deliberately excluded northern cancer patients from that same special program and they have had to pay thousands of dollars out of their own pockets to pay those costs. I appealed to the Ombudsman in the hope that he would agree that your government was discriminating against these patients, and he did that today.

I ask you once again. The time is over. It's time to end this discrimination. Will you finally retroactively reimburse northern cancer patients for 100% of their costs?

Hon Mr Clement: I can tell the honourable member that we received the report today. It refers, itself, to the northern health travel grant, which you continue to mix

up with the cancer re-referral system. Trying to mix the two up does not—

Ms Martel: He says they're two different programs. Tell the truth.

The Acting Speaker (Mr Bert Johnson): Member for Nickel Belt, I'll ask you to withdraw.

Ms Martel: No, I won't withdraw. It's about time he told the truth.

The Acting Speaker: I name the member for Nickel Belt, Shelley Martel.

Ms Martel was escorted from the chamber.

The Acting Speaker: Minister, were you finished?

Hon Mr Clement: I would only say that the report to which she refers and which was the basis of her question, the Ombudsman's report, did also review the northern health travel grant. That was what I was referring to, because there has been some mix-up in this House from time to time between the cancer re-referral grants and the northern health travel grant.

We want to review the travel grant and all other grant systems in this province to make sure that they are fair and just to northerners as well as to southerners, and to make sure that we have a better system than the one the previous government, the party that asked the previous question, set up.

HOSPITAL FUNDING

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Health. KPMG has released its report now on the impact that requiring hospitals to balance their budgets will have. This is what it says: hospitals are looking at up to 73,000 fewer inpatient admissions, up to 2,200 fewer staffed beds, up to 900,000 fewer outpatient visits, increased cancellations of elective surgeries, increased backlogs in emergency departments, all this as a result of requiring hospitals to balance their budgets without adequate funding to meet the needs of Ontario families.

Mr Minister, what I want to know is, how is it that you have over there \$2.2 billion for additional corporate tax cuts, but you don't have enough money, apparently, for the Ministry of Health to ensure that we meet the needs of our families when they've got to go to Ontario hospitals?

Hon Tony Clement (Minister of Health and Long-Term Care): The honourable Leader of the Opposition makes a fundamental mistake. He assumes that this government is against adequate funding for hospitals. In fact, we have funded hospitals at record levels, both last year and the year before, and it will be a record level this year.

When it comes to ensuring that our hospitals have the resources they need to do their job, that patient care is number one in this province, this government doesn't have to take a back seat to anyone, because we have funded, we have been there for priority programs, we've been there for cardiac care programs, we've been there for cancer care programs, we've been there for all of the priority programs and the operating programs of the

hospitals. We've been there in the past, we've been there in the present and we will be there in the future as well.

Mr McGuinty: Minister, I believe this report, and I think it's absolutely devastating in terms of the kinds of consequences that are going to befall Ontario's hospitals, but more importantly, Ontario's families. I believe you understand just how serious those consequences are and for that reason you had a meeting recently with OHA representatives and told them that you're prepared to allow them to run deficits. Instead of adequately funding them, you're going to take the easy way out and you're going to allow them to run deficits.

Minister, will you confirm here and now that instead of adequately funding Ontario's hospitals so that our families don't run into the kinds of problems I've just outlined here, you are in fact going to allow Ontario's hospitals to run deficits?

Hon Mr Clement: That is just not accurate. How the worm has turned. This is a Leader of the Opposition who used to want to be measured as a Leader of the Opposition, as a potential Premier, by being accountable, being fair and being reasonable. Here's what he used to say—

Interjection.

The Acting Speaker (Mr Bert Johnson): I'll ask the member for Thunder Bay-Atikokan to withdraw that remark.

Mrs Lyn McLeod (Thunder Bay-Atikokan): I'll withdraw that particular comment and refer the minister to the report.

The Acting Speaker: The withdrawal has to be unequivocal.

Mrs McLeod: I'll withdraw the comment, Mr Speaker.

On a point of order, then, Mr Speaker: Just to correct the record from the minister's statements, I would draw his attention to page 22 of the OHA report, which clearly says they're going to exempt hospitals from—

The Acting Speaker: That is not a point of order.

Hon Mr Clement: Here's what the Leader of the Opposition used to say. Here's what he used to represent. He used to say things like, "I think clearly there is going to have to be some savings found in our health system, some efficiencies in our health care system." That's what he used to say. He used to say, "One of the things we've got to do is this: to instill our hospital administrators with a sense of accountability to the system and not just to their own institution." That was a Leader of the Opposition who aspired to higher office, who could be called a leader. We don't have that leader any more. We have a pale imitation, a person who has jettisoned his principles, jettisoned his values and beliefs for mere ambition. That is a sad, sad state of affairs.

DOCTORS' SERVICES

Mr Marcel Beaubien (Lambton-Kent-Middlesex): My question is for the Minister of Health and Long-Term Care, and I'll try to be easy on the minister this afternoon. Minister, I must admit you took the wind out of my

sails this afternoon with the announcement you made with regard to foreign-trained doctors.

Interjections.

The Acting Speaker (Mr Bert Johnson): Order. My hearing all of a sudden has gone bad because I can't hear. I can't hear the speaker, I can't hear the man that's been recognized to speak and I think that's shameful.

The Chair recognizes the member for Lambton-Kent-Middlesex. I would ask you to start your question again. I'd like to hear it all.

Mr Beaubien: My question deals with under-served areas in rural Ontario when it comes to medical practitioners and the difficulties some foreign-trained medical practitioners have to go through to obtain licensing in Ontario. I realize that you made an announcement this afternoon and talked about an alternative route to registration in Ontario for international graduates. Apparently, this proposal would allow candidates with royal college certification to be assessed quickly through the existing training programs in Ontario. If deemed at a royal college standard, the College of Physicians and Surgeons of Ontario would provide a restricted registration. These individuals would then write the certification exams with a specified time frame while in practice. However, I'm told this program requires government funding to cover the costs of assessment and additional training, if required.

Minister, would you please expand on the amount of funding and the type of funding you're going to provide for this program?

1420

Hon Tony Clement (Minister of Health and Long-Term Care): I thank the honourable member from Lambton-Kent-Middlesex for this question, because we are trying to ensure that excellent physician services are available to meet all of our community needs throughout Ontario. That means rural and remote areas, northern areas, as well as urban areas. Foreign-trained doctors can be a valuable pool of skilled providers.

Today I announced two programs which, combined, will more than double the number of foreign-trained doctors able to practise in Ontario, from 36 annually approved to 90 annually approved. We'll be expanding the existing international medical graduate program by 14 additional training positions, bringing the total number from 36 up to 50, which is a 110% increase since 1999, I should say. We've got a new program to assess foreign-trained doctors, 40 new doctors each year to underserved communities. We are living up to the needs of rural and remote Ontario as well as all of Ontario.

Mr Beaubien: Minister, I thank you for that answer, but certainly in Lambton-Kent-Middlesex one of the problems that's occurring at the present time is that municipalities and hospital boards are attracting medical practitioners with financial incentives. It appears that whoever has the deepest pockets will be the ones that attract the medical practitioners. That creates an awful lot of concerns with municipalities and hospital boards that

do not have the financial wherewithal to deal with that issue.

How do you plan to deal with this issue to make sure that the distribution of these medical practitioners will be distributed fairly across the province and certainly in rural Ontario?

Hon Mr Clement: Again the honourable member has a good point. That's why, as part of this announcement today, we announced that we're investing \$1.4 million this year for these initiatives, in addition to the \$5.2 million that we spend annually for the international medical graduate program.

As more foreign-trained physicians enter the training programs, I can tell the honourable member that that investment of taxpayers' money will grow to \$7.9 million annually by the year 2006-07. So we are there. We understand it takes more than rhetoric, more than empty promises, more than unbridled ambition to run a government; it takes the leadership to make the right decision, to fund the right decision, to be there for genuine community concerns. We are there on the side of individuals who are in underserved areas. We are putting our money where our mouth is, and I'm proud to be part of the Mike Harris government, which understands what the real needs of Ontarians are.

AIR QUALITY

Mr James J. Bradley (St Catharines): I have a question for the Minister of the Environment. Today, Minister, if you look at this map, we have a smog alert right across the province of Ontario, from St Catharines to Sault Ste Marie, from Windsor to Ottawa. Over three quarters of the people of Ontario today are choking on smog. No matter what you say or your government says, the problem is getting worse every year.

Meanwhile, the TTC and other transit systems across the province are struggling to provide service to the people in their communities. Minister, people on a smog alert day will take the TTC or their local transit service, but they're finding more and more that it's breaking down, that it's becoming unreliable because of lack of funding for maintenance and replacement of the equipment. They go back to their cars as a result, and the smog increases.

Minister, will you tell that reactionary crew in the Premier's office to forget about the \$2.2-billion gift they're giving to the corporations and instead invest it in public transit?

Hon Elizabeth Witmer (Minister of the Environment): Smog advisories have been issued now ever since 1993. When I took a look at the smog advisories, I noticed that the occurrence of smog days is certainly not a representation of who is in government. In fact, let me tell you that in 1994 there were two advisories, covering six days. In 1995, there were six advisories, covering 11 days. In the year 2000, there were three advisories, covering four days.

Obviously, it appears that we are all committed to dealing with the issue of smog. However, the number and

the duration of smog advisories is dependent on weather conditions, it's not dependent on who is in office. But I am pleased to let the member opposite know that we have—

The Acting Speaker (Mr Bert Johnson): Thank you, Minister. Supplementary.

Mr Bradley: I've been going through the estimates of the various ministries, including your own. I found that the capital budget of the Ministry of the Environment is down 72%; the total MOE operating and capital budget is down 56% since you took office. But here's one that's gone up: the Ministry of the Environment spending on communications is up by 19%, to \$4.3 million. Spending on spin doctors, that is, communication consultants, is up 70%, up to \$1.248 million for the photo-ops and for all the public relations.

I wondered, too, if people in Toronto would be able to get some relief from the heat today, but of course half the beaches are closed because of E coli contamination.

Minister, I simply ask you this: as Minister of the Environment, will you now demand that the cabinet invest money in public transit the way every other state and provincial jurisdiction in North America does?

Hon Mrs Witmer: The member across knows full well that the capital budget at the Ministry of the Environment has shifted to the SuperBuild fund. He also knows that this year the operating budget at the Ministry of the Environment increased by 13%, from \$190 million to \$215 million this year. He also knows that we have this year participated in the second annual smog summit. We made eight commitments. We have partnered with the federal government, we have partnered with the municipal governments; and every level of government recognizes that air quality is everybody's business. They've also recognized there is no single magical solution; however, we do recognize that by working together, we can improve and we can move forward to reduce the amount of smog, not just in this city, not just in this province, not just in Canada, but worldwide. We're working together with our partners, and we hope that—

The Acting Speaker: Thank you, Minister.

STEVENSON ROAD INTERCHANGE

Mr Jerry J. Ouellette (Oshawa): My question is for the minister directly in front of me, the Minister of Transportation. Minister, as you know, I have been working on an issue since 1995. Although, to answer a lot of the questions as to why I would ask the question in the House, a lot of people wonder how often and how important a question is, and although we've discussed it regularly, and I've been working on it since 1995, where we've met with the region, we've met with the municipality, we had Minister Clement deal with the issue, we had Minister Turnbull raise the issue with the chamber, many are wondering exactly what is happening with the Stevenson Road interchange in the riding of Oshawa.

Hon Brad Clark (Minister of Transportation): I'm not sure whether I should look over there or just turn around and talk to you. I thank the member for Oshawa

for his question. I'd like to assure him that the government is committed to highway improvements in the Durham region that will support economic growth and benefit the travelling public.

Interjection.

Hon Mr Clark: Maybe the member for Hamilton East never goes up to Durham, but he should check it out from time to time.

The Stevenson Road project is part of a partnership agreement between our government and the region of Durham. As part of the environmental assessment process, my ministry has held a public information centre this past March to obtain public comment on the preferred design. I understand that public reaction from the local residents was quite favourable.

Interjection.

Hon Mr Clark: The member for Hamilton East is not favourable to the project, apparently.

We are currently undertaking the preliminary design and environmental assessment work for the new Stevenson Road interchange, and we anticipate this study will be completed later this summer.

I would also like to mention that this interchange project is just one more example of our government's record investment of \$5.3 billion in highway infrastructure, fuelling economic growth across Ontario.

Mr Ouellette: I thank you, Minister, for getting that on record so a lot of my constituents can have a copy and read that.

As well, when we discussed the issue of the interchange, the area of the eastbound on-ramp on the Park Road area was to be kept open. Exactly what is happening with the eastbound Park Road on-ramp, and when are we going to get the shovels in the ground with the Stevenson Road interchange?

1430

Hon Mr Clark: I'd like to advise the honourable member that the existing Park Road interchange, which does not meet current design standards, will be partially closed as part of the Stevenson Road construction. Access to eastbound Highway 401 will be available from the new Stevenson Road interchange. We'll also work to maintain access from Park Road to eastbound Highway 401, at least for a few years.

Construction of the interchange will be subject to funding availability and obtaining the necessary environmental approvals and required property. Once these requirements are met, I can inform the member that we hope to commence construction according to—

Interjections.

Hon Mr Clark: The member for Hamilton East doesn't want to hear this, apparently. We will commence construction according to the agreement with the region of Durham, which is scheduled for 2003.

PERSONAL NEEDS ALLOWANCE

Mr David Christopherson (Hamilton West): My question is to the Minister of Community and Social Services. Minister, your government's ongoing attack on

seniors, persons with disabilities and other vulnerable citizens is well known. Today, I want to bring to your attention the issue of the personal needs allowance, which is money provided to individuals who are in lodging homes, long-term care facilities and special care facilities. It's the sum total of all the money that they have to spend on their personal needs: all their toiletries, all their clothes. All the money they need to live is that \$112. It hasn't increased since 1991. Your government has found billions of dollars to give tax cuts to corporations and your rich friends, but not one penny for these vulnerable individuals.

My question to you today is, will you agree with the Hamilton Second Level Lodging Home Tenants Association task force that's calling on you to raise the personal needs allowance from the meagre \$112 to at least \$160 a month so these individuals can live in dignity?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): There's no thought being given to doing that, but I do reject what the member opposite suggested, that not one penny in additional funding is going to help those who are most vulnerable in our society.

I can tell you we increased supports to domiciliary hostel operators, who care for some of the most vulnerable people, and that is a big issue in Hamilton. We've increased a substantial amount for people with developmental disabilities, in fact, the biggest investment in developmental disabilities in the history of the province of Ontario. We're putting more money into shelters for violence against women, and we're increasing funding for autistic children and for infant development.

This government has a strong record of providing supports to those who are most vulnerable and the disabled to provide for help and support.

Mr Christopherson: Just like your correspondence to me, you dance around the issue. You did not address the issue of the personal needs allowance and why you refuse to increase it from \$112, where it's been for 10 years. When you respond to this question, I'd ask you to direct your comments to the personal needs allowance.

Now, lest you think it's just I and the delegation that's here from Hamilton, I want to bring to your attention that your own Psychiatric Patient Advocate Office, an arm's-length agency funded by your government, has joined in the call. They have said, "Increasingly we're told by our clients that the current amount is not adequate to meet their basic needs and they are experiencing financial hardship before the end of each month. There is broad-based support for such an increase in order to allow individuals adequate finances to meet their basic needs."

Personal needs allowance: \$112, not one penny increase in 10 years. I want you to stand in your place, look these citizens in their eyes and tell them why—

Hon Mr Baird: I think if you check Hansard, I very clearly answered the question at the outset. I said that there wasn't an intention to review that issue, that there was not an intention to raise it. We have made providing supports to those who are most—

Mr Christopherson: Ten years.

The Acting Speaker (Mr Bert Johnson): Order. The member for Hamilton West, come to order.

Hon Mr Baird: We have provided a substantial amount of supports to help people with a developmental disability, a substantial amount of record increases in supporting women fleeing domestic violence. We've doubled the budget for autistic services for young children. We're increasing support to young children with a developmental disability.

This government has made support of the most vulnerable a terrific priority. We have had to make choices. It is a difficult choice being in government. We have made the choice to put substantial amounts into developmental disabilities and into preventing violence against women and into young autistic children. We're proud of those supports.

Mr Christopherson: Personal needs allowance.

The Acting Speaker: The member for Hamilton West, come to order.

HOSPITAL FUNDING

Mr George Smitherman (Toronto Centre-Rosedale): My question is for the Minister of Health and it concerns the rapidly deteriorating safety of health care services in the Ajax-Pickering community.

Minister, I have a copy of a letter sent by the president and CEO of the Rouge Valley Health System to municipal officials in Durham region. In this letter, Mr Whiting states, "Simply put, the Ajax and Pickering site of the Rouge Valley Health System is unsafe for the growing community it is meant to serve and the planned future to change this situation is fractured."

Minister, Durham region residents have been clear that your funding formula outstrips their capacity to pay, and the health and safety of Ajax and Pickering residents is being compromised in the name of \$2.2 billion in tax cuts for Conrad Black and the corporate elite. The CEO of the Rouge Valley Health System has called into question the safety of the Ajax and Pickering site. What actions are you taking to ensure the safety of Durham region residents?

Hon Tony Clement (Minister of Health and Long-Term Care): I can tell the honourable member that the hospital in question has been approved for an unprecedented reinvestment by this province for new care, new facilities, new programs, and that is our answer to the legitimate needs of the community in Durham region, in Ajax, Whitby and Pickering.

This government has been there in more than rhetoric; we have actually been part of the solution. Part of the solution has been as well the community in some manner, and many of these jurisdictions have also been part of the solution. If the individual to whom you refer in some way is rejecting the multimillion-dollar investment of the province of Ontario for the hospital, for the community, and in some way feels that the community cannot be part of the solution and in some way feels that

he is not able to judge or to perform as a result of all the other investments that are going on throughout the province, where other CEOs can perform, then perhaps he should be looking for another job.

Mr Smitherman: The minister's answer shows a shocking lack of understanding of the situation in Durham region, or he would know clearly that the community has said—and the minister there could have whispered it in his ear—that they don't have the capacity to pay this huge community cost. Unlike other GTA municipalities, Durham region does not have the breadth of tax—

Interjection.

The Acting Speaker: Minister, come to order.

Mr Smitherman:—dollars that other regions in the greater Toronto area have.

Mr Minister, he went further. He said, "The present lack of infrastructure at the Ajax site, and numerous risk and safety-oriented clinical site issues are weighing on the whole organization, creating extra cost and not delivering the quality care our patients deserve." He goes on to suggest that the viability of the Ajax and Pickering site is being compromised.

Minister, how is it that you can continue to be in support of a massive corporate tax cut for Conrad Black while the Durham region hospital is delivering substandard care and threatening to close?

Hon Mr Clement: Again, to set the record straight, this government has made a multibillion-dollar investment in new facilities, new hospitals, new programs, actually brand new hospitals on brand new sites through Ontario. There has always been a community contribution. It is working in Peterborough, it is working in London, it is working in Barrie, it is working in Brampton, it's working in Mississauga. It can work in Durham too because the Durham community—maybe not the Durham council, maybe not the region—wants to see better health care. They want to be part of the solution.

Interjection.

The Acting Speaker: I'll not warn the Minister of Education again.

Hon Mr Clement: But if the honourable member wants to see these investments—

Interjection.

The Acting Speaker: I'll not warn the member for Hamilton East again.

Hon Mr Clement:—they bring jobs, they bring opportunity, they bring new investment, they bring the virtuous circle of new jobs and new opportunities to Ontario—

Interjection.

The Acting Speaker: I'll not warn the member for Toronto Centre-Rosedale again.

Hon Mr Clement:—which you opposed every step of the way. Every tax cut you opposed. Every new ability to—

Interjections.

The Acting Speaker: Order. I'm naming the member for Hamilton East.

Mr Agostino was escorted from the chamber.

The Acting Speaker: Thank you. Minister?

Hon Mr Clement: I find it absolutely shocking, Mr Speaker.

Interjections.

The Acting Speaker: Order. You've asked me to enforce your rules. If you have a problem with that, stand in your place and say something that I can rule on, or I'll not tolerate this kind of behaviour.

Minister?

1440

Hon Mr Clement: What I find shocking, Mr Speaker, is that this party on the other side of the House who aspire to higher office, who think they can run the province, are cutting at the knees all of the tools available to create new jobs, create new opportunities that pay for the investment in our health care system, in our education system, in safer streets. It is appalling that this group of people, who do not understand the first thing about how to create jobs and opportunity in our province, aspire to that office. But I'm sure the people of Ontario will have their say at the earliest available opportunity.

SUMMER SCHOOL

Mr John O'Toole (Durham): My question today is to the Minister of Education. Earlier this week the Durham District School Board had to issue a news release announcing the cancellation of this year's secondary summer school programs. Students from the Durham board will now have to apply for summer school positions with the Durham Catholic District School Board.

Minister, in the news release the board is suggesting that the OSSTF's, the Ontario Secondary School Teachers' Federation's, pink letter has forced this board decision. Will you please tell the students and parents, in not just my riding of Durham but across Durham, what is happening with summer school in Durham region this summer.

Hon Janet Ecker (Minister of Education, Government House Leader): The honourable member is quite correct, unfortunately, that the local OSSTF union in Durham region has again taken steps to threaten discipline of their own teachers, their own members, if they take jobs this summer with the Durham public board to give summer school opportunities to students, to give opportunities to students to get extra help with the new curriculum. This is funding and training that the ministry puts forward, and the board co-operates to do it. The union is saying, "No, we're fighting with the board, so we're going to take away these opportunities for students."

We've been really pleased with the two school boards, the public board and the Catholic board in Durham, which through working together are going to make sure those students do get the summer school opportunities that they deserve, that they should have, that taxpayers are pleased to support, even though the union is taking

away that opportunity from students. Yet again this is the kind of labour disruption, labour dispute, that I believe firmly is the biggest threat to public education in this province.

Mr O'Toole: Thank you very much for that direct response, Minister. It's clear that you do put students first. I agree with you that our students and their uninterrupted access to education are a top priority.

Parents in my riding of Durham want to be sure that our government is doing everything we can do to ensure that their children have access to the education they need. Will you give my constituents an outline of some of our government's efforts to bring stability back to our public education system?

Hon Mrs Ecker: I agree that more stability in the labour relations area is extremely important in the education sector. So rather than having this annual labour disruption problem that some boards have experienced, we have legislation before the House that proposes that boards and unions make agreements that will be three years in length. Some boards have previously been able to do two- and three-year agreements. We think that kind of stability is so important and certainly what parents, students and teachers said they needed. So we are proposing in this legislation that all upcoming agreements will be three-year agreements.

The second important priority that is in this legislation is that it proposes to implement the compromise that will restore extracurricular activities in our schools this fall. All of the education partners—the unions, the boards, the ministry—have said they were prepared to set aside their original position. The boards and the government have. This legislation is there. We are waiting for the unions to take advantage of it so they can have those extracurricular activities that their own members say they enjoy and that we all agree on this side of House are an important priority for students.

CEDARVALE RAVINE

Mr Michael Bryant (St Paul's): My question is for the Minister of Municipal Affairs. Unfettered construction is taking place right now in the Cedarvale ravine in the heart of the midtown riding of St Paul's. Building on the ravine is causing harm to its natural topography, the viability of the ravine vegetation and, in turn, the health of the trees and surrounding environment. The eastern part of the ravine has protections in place but the western part of the ravine does not, as a result of harmonization failures at the time of amalgamation. The city of Toronto says it can't do anything about it because the Toronto Conservation Authority can only be given these powers through a provincial remedy.

I am asking the minister, will you provide the same kind of protection to the Cedarvale ravine that has been provided to the Oak Ridges moraine; namely, will you provide interim protection until such time as we can get some laws and regulations in place to protect the Cedarvale ravine?

Hon Chris Hodgson (Minister of Municipal Affairs and Housing): I'll take a look at it. I'll look into it. If the municipality has requested this in writing in the form of a resolution, I can find out where there's at.

Mr Bryant: I appreciate that. I thank the minister for that. As he knows, ravines are to Toronto what canals are to Venice, hills are to San Francisco and the Thames is to London. These are a powerful part of our physical landscape and the psyche of our community. As I said, we have this legal lacuna out there, whereby part of the ravine is not protected. The minister has offered to look into it and I appreciate that.

What I would now like to ask the minister is, would a member of his ministry meet with my office so we can sit down and get to the bottom of this?

Hon Mr Hodgson: That might be a little bit premature. What I have undertaken to do is to search and see if Toronto council has asked for this by way of a council resolution, that the province look into it.

OCCUPATIONAL HEALTH AND SAFETY

Mr R. Gary Stewart (Peterborough): My question is for the Minister of Labour. During debates in the past few days on Bill 57, the Government Efficiency Act, the opposition quoted from a letter written by two members of your ministry staff. In that letter, these two civil servants are critical of proposed changes to health and safety inspection procedures.

I am sure that this government would not do anything that would hinder inspectors from doing their jobs. Would you please set the record straight on some of the misinformation that was spread in this House as a result of this letter.

Hon Chris Stockwell (Minister of Labour): I just want to get on the record very clearly that the health inspection staff, the inspectors, were consulted on this piece of legislation.

The contents of this bill, including the power to investigate work refusals over the phone, were discussed at the industry health and safety program committee, which includes the inspectors. You have to understand that in the Ministry of Labour any change to the legislation is vetted by the staff. They are fully informed. They have a committee that meets and discusses how it is supposed to work.

I want to also suggest that the letter that was sent is truly inaccurate because, if a ministry inspector wants to investigate it, it's completely up to that inspector. If any inspector chooses to investigate 100% of the sites, they can. So it's completely up to the inspector. There is no order telling them not to inspect. I think it's got to be clear that we did consult and there is nothing compelling them not to inspect. I was kind of disappointed with seeing the letter because it doesn't reflect the nature with which we consulted with the ministry staff.

Mr Stewart: In the letter it was also stated that the proposed legislation would allow an inspector to investigate a work refusal without actually being present at the

site. Would you please explain to this House how that part of the bill would work?

Hon Mr Stockwell: I think I gave an example the other day to the member for Welland or Niagara Centre. There is an example where we had an inspection request and a stop-work was done at a site because one of the individual employees decided that his present supervisor was not qualified to be his supervisor. It seems to me that it would be a simple request to access the information by fax or e-mail to get the designation of that individual. Rather than that, they had to stop the project working altogether; they had to stop work there. The inspector had to get in the car, take a number of hours to actually get out there and some amount of time to hear the complaint, and the whole time the business was shut down, just based on this request that, "This supervisor isn't qualified to be my supervisor."

Under the new law they can simply request they fax that information out. The inspector can review it, talk to them over the phone and make a decision. That's not an unreasonable position to take, both for the employer and the employee.

Any qualified health inspector is—

The Acting Speaker (Mr Bert Johnson): Thank you, Minister.

AIR QUALITY

Ms Frances Lankin (Beaches-East York): My question is to the Minister of Energy. Today, if you took a look at the map of Ontario from Sault Ste Marie all the way down to Lake Ontario, from the eastern border to the western border, you would see this province is covered in a blanket of smog.

I want to remind you that on May 3 you said your policy was for OPG to curtail production at all coal plants during smog alerts, not just at Lakeview but at all coal-fired plants.

1450
Minister, this is a rare opportunity. I want to tell you that we on this side of the House agree with your policy. It's a great policy. It would reduce smog and it would save lives. We'd stand up and cheer if it was in fact correct, but as we've pointed out, it's not what's happening. So we've just got one question for you today. This great policy: when the heck are you going to implement it?

Hon Jim Wilson (Minister of Energy, Science and Technology): The policy was implemented last year. The coal plants are called upon as a last resort once all the other plants—we are in an extraordinary time with respect to the electricity system because 10 of our 20 nuclear reactors are down. When we're able to get those back on line, beginning with Pickering in January or February of next year, we hope Pickering will come back up.

By the way, in the five years the NDP were in and the five years the Liberals were in, the plants went out with the doghouse. They just were not looking after them at all

and did a terrible job, complete mismanagement. So I'm proud. We're bringing back these assets and we're calling on our coal plants only when we have to. Certainly that is the policy of the government and the policy of Ontario Power Generation.

Hon Frank Klees (Minister without Portfolio): On a point of order, Mr Speaker: Earlier today I filed a point of privilege with the table. With your permission and the permission of the House, I would like to present that point—

The Acting Speaker (Mr Bert Johnson): The chief government whip and deputy House leader, on a point of order, is requesting unanimous consent to bring his point of privilege to the floor of this chamber now, which is about 15 minutes earlier than is allowed by the standing order. Is there unanimous consent? No.

BUSINESS OF THE HOUSE

Hon Janet Ecker (Minister of Education, Government House Leader): Pursuant to standing order 55, I have a statement of the business of the House for next week.

On Monday afternoon we will continue debate on Bill 60, and on Monday evening we will begin second reading debate on Bill 80.

On Tuesday afternoon we will continue debate on Bill 60, and on Tuesday evening we will continue debate on Bill 80.

On Wednesday afternoon we will begin second reading debate on Bill 65, and on Wednesday evening we will continue debate on Bill 80.

On Thursday morning during private members' business we will discuss ballot items 15 and 16, and on Thursday afternoon we will continue debate on Bill 65.

PETITIONS

MUNICIPAL RESTRUCTURING

Mr James J. Bradley (St Catharines): I have a petition to the Legislative Assembly of Ontario.

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases have not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times,

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local residents."

I affix my signature. I'm in full agreement.

EDUCATION TAX CREDIT

Mr Rosario Marchese (Trinity-Spadina): I have hundreds of petitions in my hands from people who support public education.

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I support this strongly.

LORD'S PRAYER

Mr Jerry J. Ouellette (Oshawa): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century;

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life;

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of the prayer in municipal chambers in Ontario."

I'm proud to sign that as I support it.

SALE OF SCHOOLS

Mr Tony Ruprecht (Davenport): I keep getting petitions about the closing of Hughes Public School, and the petition reads as follows:

"Whereas the Hughes Public School at 17 Innes Ave in the city of Toronto closed down and its premises have been declared surplus by the Toronto District School Board;

"Whereas the city of Toronto has issued a building permit to the TDSB permitting the reconstruction of Hughes Public School for an entity called Beatrice House, for the purpose of a private academic school;

"Whereas the Beatrice House is not a private school registered with the Ministry of Education, nor a mident has been issued to that organization;...

"Whereas local taxpayers' concerns have been ignored by the TDSB;

"Whereas other locations, such as Brother Edmund Rice School ... or Earls court Public School ... which are being closed down, have been offered to Beatrice House to no avail;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Honourable Minister of Education investigate the leasing arrangement between the Toronto District School Board and Beatrice House inasmuch as:

"(1) Boards are to seek fair market value when selling;...

"(2) Boards are to offer the property to coterminous boards;...

"(3) Toronto District School Board has not dealt in good faith with our neighbourhood residents;

"Therefore, we respectfully ask you to consider our plea for justice. The Toronto District School Board has ignored our concerns and due diligence. We as a community tried everything within our power to fight the glaring and obvious wrong done to us, to no avail."

Since I agree, I'm delighted to sign this petition.

EDUCATION TAX CREDIT

Ms Marilyn Mushinski (Scarborough Centre): I have a petition that's addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu, Sikh or another religion, is best for their children; and

"Whereas many people believe that special education methodologies, such as those practised at the Mississauga Christian Academy, are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I'm pleased to affix my signature to this petition.

1500

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): To the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I affix my signature.

PERSONAL NEEDS ALLOWANCE

Mr David Christopherson (Hamilton West): I am very proud to present 3,000 signatures on these petitions from the Hamilton second level lodging home tenants' committee. I might add that this resolution has also been endorsed unanimously by Hamilton city council.

The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas individuals who are tenants and residents in facilities such as care homes, nursing homes or domiciliary hostels under certain acts are provided with a personal needs allowance to meet incidental costs other than those provided by the facility; and

"Whereas the personal needs allowance has been fixed by the Ontario government at a rate of \$112 for nearly a decade and has not kept pace with cost-of-living increases, and furthermore is inadequate to meet incidental costs such as clothing, hygiene products and other essentials,

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately review and increase the personal needs allowance from \$112 a month to \$160 a month for individuals living in care homes, nursing homes or other domiciliary hostels."

On behalf of the residents of Hamilton West, people in all communities around Hamilton and all of my NDP colleagues, I proudly add my name to this petition.

EDUCATION TAX CREDIT

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I've got hundreds of signatures on this petition.

"To the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Sikh, Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

In agreement, I affix my signature.

NURSES

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario.

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; and ensure front-line nurses play a key role in health reform decisions."

These are yet more of the 12,000-plus petitioners who share these concerns. I affix my signature in full agreement with their concerns.

DIABETES TREATMENT

Ms Marilyn Mushinski (Scarborough Centre): I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas over 500,000 people in Ontario have diabetes; and

"Whereas to the expense of treating diabetes, many people cannot afford the ongoing expense of treating diabetes and if left untreated or improperly managed, diabetes can lead to blindness, vascular disease, kidney disease, neuropathy and other problems; and

"Whereas today, more than ever before, people with diabetes can expect to live active, independent and vital lives if they make a lifelong commitment to careful management of the disease; and

"Whereas by providing the resources to successfully manage this disease, the government can ensure more efficient health care for people with diabetes at a reduced cost to the health care system;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That all diabetic supplies as prescribed by an endocrinologist be covered under the Ontario health insurance plan."

I am pleased to affix my signature to this petition.

EDUCATION TAX CREDIT

Mrs Marie Bountrogianni (Hamilton Mountain): "To the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government plans to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I have signed this petition as well.

Mr Garfield Dunlop (Simcoe North): "To the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori or Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I'd be pleased to sign my name to that.

MEMBERS' PRIVILEGES

The Acting Speaker (Mr Bert Johnson): I recognize the chief government whip and deputy House leader on a point of privilege.

Hon Frank Klees (Minister without Portfolio): I rise today under a point of privilege pursuant to section 21 of the standing orders, regarding the rights and privileges enjoyed by all members of this assembly.

Two days ago, an incident at the Deputy Premier's constituency office in Whitby proved that certain groups feel justified in the use of intimidating and, some would say, even violent behaviour to advance their own opinions.

Freedom to hold an opinion and freedom to express it are, without doubt, the cornerstones of political debate and even democracy itself. When individuals, for whatever reason, feel justified in responding violently to the expressions of such opinions and to the actions of democratically elected members of this or any other legislative body, this fundamental right is threatened.

Everyone in this Legislature is aware of the incident to which I am referring, and I think all honourable members would agree that no disagreement with either the policies of this government or any government justifies the use of physical intimidation.

I was at a meeting earlier today with consuls general representing a number of countries. This incident came up in that discussion. One of the consuls general made the statement, "That event is not Canadian. I do not recognize Canada in that demonstration." I think it speaks to the heart of the point that I want to bring to your attention. Certainly, under no circumstances should the terrorizing of young students and young girls who were present in that constituency office be acceptable to

honourable members in this House. Such actions are not only unacceptable but in fact prevent the very people these groups claim to represent from seeking the assistance of their local elected representatives.

1510

It's disturbing that certain members of one group in particular not only seem blatantly unaware of the danger of such actions but also indeed have indicated through the media that they plan further to advocate similar disruptions.

As an elected member of this assembly and a member of the executive council, I cannot condemn such actions harshly enough, and I would hope that all honourable members would agree with me on this point. I know from speaking to a number of members, members opposite as well as in our own caucus, there's a very strong feeling that this group has stepped beyond the borders of legitimate demonstration and of legitimately expressing opposition to either government or policies of this government.

I was heartened to see the leader of the official opposition in the media indicating that he holds similar concerns about such actions. In speaking with the House leader of the official opposition, he expressed to me personally his similar concerns. Indeed, people such as Buzz Hargrove, who admittedly is no great fan of this government, expressed similar concerns and condemned these actions.

I have to admit that I have extreme disappointment in not having seen members of the third party equally condemn such actions, and I am concerned that by their silence, and in fact by some of the actions of one of the members of the third party, they are implicitly encouraging such actions. It is disconcerting to see a member of this House, just this morning, in spite of Tuesday's incident—

Ms Frances Lankin (Beaches-East York): On a point of order, Mr Speaker.

The Acting Speaker: I think I would like to hear this point of order now.

Ms Lankin: First of all, on a point of order, the honourable member is ascribing motive to members of the third party, and I take great exception to that.

Secondly, I want to point out to him that I was present at a media scrum of the leader of the third party, who very clearly said that he condoned no such actions and that no member of this House could. So you're wrong.

The Acting Speaker: I don't think it is a point of order, but I would like to hear your comments on this point of privilege in rotation, so I'll give you that opportunity to give me your ideas and concerns at that time, if that's OK.

The Chair recognizes the member on a point of privilege.

Hon Mr Klees: As I was saying, I was particular disturbed when a member of this House, a member of the third party, earlier today, just following the events of this incident in Whitby, was seen to encourage disruption in this very place and frustrate legislative staff and security

staff from carrying out their duties as required by this House.

I call on the leaders of both opposition parties to join me in indicating our commonly held belief that this Legislature and its members must be free to go about their duties as they see fit, without fearing for the safety of themselves, their staff and indeed their families. I call upon all members of this House, including all members of both opposition parties, to clearly indicate that these actions are never justified and have no support from anybody in this House and that further actions of this nature will result in stronger condemnation from all members of this House and from all parties in this House.

Speaker, I would request that you, as the person charged by all members of the assembly with protecting our rights and privileges, look into Tuesday's incident and the events of earlier today and advise this House as follows:

First, whether the actions that I have referred to constituted a breach of the rights and privileges enjoyed by all members individually and collectively; and

Second, whether any members of this House, particularly keeping in mind the events of earlier today—and I would ask you to consult with security staff to determine the actions and the presence and the conduct of any members of this House involving that demonstration this morning—are in fact encouraging such breaches and the intimidation of members or their staff in the performance of their duties.

The Acting Speaker: The Chair recognizes the government House leader—the House leader of the official opposition.

Mr Dwight Duncan (Windsor-St Clair): Two years from now.

Let me begin by saying how personally offended and outraged I was by what happened at the Minister of Finance's office this week. The notion that a group could plan an attack on the office of a duly elected member of this assembly, a member of the government of the province of Ontario, offends me to the core. It was uncalled-for, unjustified, and is not, in my view or in the view of my leader, Dalton McGuinty, and the members of our party, a particularly effective method of protest.

Dr Martin Luther King wrote in his book *Where Do We Go From Here: Chaos or Community?* in 1967 that, "The limitation of riots, moral questions aside, is that they cannot win and their participants know it. Hence, rioting is not revolutionary but reactionary because it invites defeat. It involves an emotional catharsis, but it must be followed by a sense of futility." His words are far more eloquent than I can put them.

Some four years ago, a very ill man pulled a knife on me in my constituency office. It was troubling to me and to my staff. It was a very dangerous situation, but a very different situation from what happened this week. This individual was sick. He required medication. He was not receiving his medication. This event this week, from what I've been able to determine, was planned and deliberate. Indeed, the group involved has indicated that

they intend to do this more and that they've done it in the past.

Any freedom-loving individual opposes that sort of action. Whether or not I agree with this government is irrelevant. This government was elected by the people of this province. Whether or not an individual agrees or disagrees with me, we in this society have a history of tolerance and respect for differing points of view.

There is a place for civil disobedience in this province and at this Legislature. Mohandas Gandhi wrote, "Disobedience to be 'civil' must be sincere, respectful, restrained, never defiant, and it must have no ill will or hatred behind it." We in this province do have a history of respecting civil disobedience, the type of disobedience that manifests itself in peaceful strikes or peaceful demonstrations that do not disrupt the operations or functioning of a Legislature or of individuals in their daily lives. That is a fundamental right, to protest.

So as you consider the government's point of privilege, I think all of us must be careful that we respect people's rights to protest and use this public building, these public grounds, as a place for a legitimate expression of disagreement. It has historically performed that function. Those in government—and I don't refer simply to this government; I refer to any government—must use the powers of restraint carefully and wisely, understanding that frustrations can be built up.

1520

As I reviewed what Dr King wrote in 1967, I found another, I think, particularly salient quote from him. He said that, "A riot is, at bottom, the language of the unheard." I think that's important and I want to address it in the context of this assembly, indeed Parliaments everywhere, and indeed in terms of what we have done as parliamentarians. When I say "we," I mean all of us as parliamentarians. I demeaned this institution some two weeks ago by using language that was offensive and hurtful, and in doing that I demeaned my colleagues and I demeaned this institution, which I believe is a great institution.

Disraeli said that, "I look upon parliamentary government as the noblest government in the world." Churchill was quoted, and I paraphrase, to the effect that, "The system is not perfect, but it's the best of the worst." I think we need to bear that in mind. Let's review what we've done in this Legislature in the last few years that has restricted our ability to be heard because, as Dr King said, "A riot is the voice of the unheard."

In 1992, the government of the day changed the standing orders to limit debate and scrutiny of legislation. They cut off debate and brought in new time allocation motions. The length of speeches was shortened.

In 1997, the government of the day declared evening sittings as separate second sessional days without a question period. That in effect allowed the government to do two days of business with only one question period, something that was uncommon at the time, and certainly over the history of this Legislature and others not a common occurrence.

The government allowed itself to introduce and pass legislation within the last two weeks of a session, effectively precluding meaningful debate on some significant legislation. Again, the length of time for speeches in this Legislature was reduced. The amount of time available for committees was reduced.

Further changes in 1992: time allocated for introduction of bills reduced the amount of time available to members to introduce bills in this House on any given day.

In 1997, further changes: that the House proceeds immediately to orders of the day at 4 o'clock. We just lost a petition day the other day. The opposition loses its questions if they're not finished in a timely fashion.

The Speaker was given sweeping powers to penalize or entirely ignore an MPP who refuses to leave the Legislature. The Speaker was given sweeping powers to group amendments to legislation together to prevent a duly elected opposition, a loyal opposition, from participating in a meaningful fashion in the debates of this assembly.

In 1992, the government of the day shortened the parliamentary calendar by two weeks.

In 1997, the government of the day increased the deadline for answers to order paper questions from 10 calendar days to 24 sessional days. My colleague from Don Valley East stood in his place in this House only two short days ago and reminded the Speaker, who we've yet to hear back from, that some questions have been on the order paper now since last December. We were limited at that time as to the number of questions we could put on the order paper. That is, we were told, "You can only ask so many questions at a time."

That, sir, constitutes a reduction of privileges forced upon this Legislature by successive governments.

The very point of privilege—it used to be that if a member had a point of privilege, he or she could stand in his or her place and have the opportunity to put that point of privilege on the floor of this Legislature. The member who put his point of privilege today was forced to wait because he has to put it in writing. A number of points of privilege have not been allowed to be read into the record—have not even been allowed to be read into the record—which I find distasteful.

One may say this is in the interest of efficiency and good government. Well, this province ran awfully well, and the histories of Legislatures here and elsewhere ran well, and frankly ran better, when duly elected members of this House, or any Parliament for that matter, had an adequate opportunity to speak to legislation and to debate legislation.

And it's not just this House or this government. My colleagues the federal Liberals have changed the standing orders in the federal House on a number of occasions, which frankly is offensive and, in my view, shows a lack of regard for the history of this great institution, the thing Disraeli spoke so passionately about more than 100 years ago.

The number of times time allocation is used—and let's be clear about what time allocation is. It's a limit on a

member's ability to respond. On four separate bills this session, our party had duly elected members of the Legislature who wanted an opportunity to address significant government legislation and were denied that opportunity because the government simply had tired of the debate.

Look at the number of days we have sat this session. It is absolutely astounding that this House doesn't meet more often, given the volume of legislation we're considering.

Let's look at the use of time allocation. In the Davis and Miller government—the 32nd Parliament, a four-year Parliament—there were 292 government bills passed. That government, the Davis and Miller Progressive Conservative government, used time allocation on three occasions. The Peterson minority and majority governments passed in excess of 300 pieces of legislation in a five-year span, and how often was time allocation used? Four times. Time allocation has been used more in the last six weeks than it was used in the entire Davis-Miller government—not a Liberal government but a Conservative government—a government that was able to get 292 pieces of legislation passed by a Parliament composed of more members than we have here today and was able to do so with the advice and consent of the opposition.

What about the respect individual members pay to this institution? What does it say to us as members of the opposition when we rarely have the opportunity to place questions to the Premier? Let me define “rarely”: not including this week, an average of 33% of question periods, on a parliamentary calendar that has been significantly reduced.

The Acting Speaker: Order. We have a point of privilege, and I would ask you not only to avoid certain subjects that you're aware of but to bring your points within it, if you would. I don't think I need all that history. Some of it—I have to be sure it's salient, because indeed we may be making history, and I don't want to get into time or anything like that. But if you could bring me your comments on this point of privilege, I would appreciate it very much.

1530

Mr Duncan: In respect to you, I will wrap up.

As an opposition member and as a member in this Legislature, I deplore what happened to Mr Flaherty's office this week. I say that the best way to deal with this type of incident, and to try to reduce that sort of situation, is to give meaning and expression to this marvellous institution and to reinvigorate it so there can be full public debate so that we can feel we are making a real effort toward hearing all points of view.

I appreciate your time in listening to me, sir, and thank you for the opportunity.

The Acting Speaker: I would appreciate hearing from a representative of the New Democratic Party, please.

Ms Lankin: Thank you, Speaker. I rise to speak to this as the deputy leader of the New Democratic Party caucus.

The chief government whip, in raising his point of privilege, made what I consider to be very serious and false allegations. In his comments, he attributed to the members of the New Democratic Party—a caucus which has been very clear on the record with respect to the events he raised in his point of privilege, very clear in our position that we do not condone such acts of violence—a position of support. I suggest to you, Mr Speaker, that while he rises on privilege under standing order 21, standing order 23 of the rules of debate prohibits a member such as the chief government whip from making “allegations against another member”—that's 23(h)—or, 23(i), imputing “false or unavowed motives to another member,” both of which, I would assert, the chief government whip did in the course of his comments.

The leader of the New Democratic Party, Howard Hampton, was very clear in his response to the events involving the incident at Mr Flaherty's constituency office. He was articulate, he was passionate and he spoke to the freedoms and liberties of a civil society and to the fact that no member of this Legislative Assembly—and certainly no member of the New Democratic Party caucus—would condone such actions. That is not the impression the chief government whip would leave for the members of the public or the members of this Legislative Assembly by the allegations he has levelled in this House.

Mr Kormos, the House leader for the New Democratic Party caucus, has been clear, in media interviews as recently as this morning, that he does not condone the actions that took place in the incident involving Mr Flaherty's office. That would not be the impression that would be left with the public or the members of this Legislative Assembly from the remarks by the chief government whip.

I am not sure of the reasons behind the chief government whip's intervention today, but I can tell you his facts are clearly wrong, and I believe the statements he made are gross violations of the standing orders with respect to honourable members of this Legislative Assembly.

I might also point out to you prohibitions in standing order 23(g) against members referring to “any matter that is the subject of a proceeding

“(i) that is pending in a court or before a judge for judicial determination, or

“(ii) that is before any quasi-judicial body constituted by the House or by or under the authority of an act of the Legislature.”

I point out to you that criminal charges have been laid subsequent to the incident in Mr Flaherty's office, and I point out to you that on a number of occasions I've heard ministers of the crown refer to this as the reason they can't speak to a subject. Perhaps the member should have been called to order at that point in time.

I would also point out the history in this Legislative Assembly of all members of all parties taking a position to condemn such actions when they have happened in the past. This is not the first such event of this type. I

remember a fire-bombing of the constituency office of the Honourable Bob Mackenzie. I remember an incendiary device going off at the back door of the constituency office of the Honourable Marilyn Churley. There have been other occasions. I won't at this point in time, Mr Speaker, relate them all to this House, but all members in all parties have come together to express their condemnation when events of this type take place.

May I say I do not understand the nature of the point of privilege that you have been asked to rule on, but on behalf of my party I add our voice in condemning the action and I request that you see, through a reading of the Hansard, the questions of point of order that I am raising to be legitimate, and I would request of the honourable member, the chief government whip, at an appropriate time his apology for the incorrect statements he has placed on the record in this Legislative Assembly.

Hon Chris Stockwell (Minister of Labour): On a point of order, Mr Speaker: I will be speaking directly to two points of order—one, the collective, and, the second, me personally. Do you want to have some direction?

The Acting Speaker: Do they involve the point of privilege?

Hon Mr Stockwell: Yes.

The Acting Speaker: I think first, before I take the introduction of that, I want to ask the government House leader if you have some new information that you would like to add. I've heard from the chief government whip, the House leaders and the deputy leader. If there's any new information you would like me to have, please let me have it now, and then I'll hear from the Minister of Labour.

Hon Janet Ecker (Minister of Education, Government House Leader): Thank you very much, Mr Speaker. I would only say very, very briefly that the concern of many members of this House specifically relating to the responsibilities that staff have for security here in this building, staff responsibilities for security in other offices and what we believed or what appeared to have occurred today is that a member of this House had participated in undermining those rules, potentially, or preventing staff from undertaking their responsibility to protect other workers and other staff in this building. That relates to one of the things that my colleague has asked you to look into, to see if that's indeed the case.

The Acting Speaker: Minister of Labour.

Hon Mr Stockwell: I will just directly speak to this very quickly. I don't want to take a lot of time. I understand the time constraints for debate.

I just want to speak quickly to the Tuesday incident. I have no doubt in my mind that all parties agree that that was an outrageous act, and completely condemned.

Let me just say, Mr Speaker—and I understand the Churley event; I remember the Mackenzie event; I know about the Wood event. The fear I have is that those were single instances that no one took credit for and in fact were one-offs. The difficulty I'm faced with today is for the security and safety of my constituency staff. This is a perpetrated act done with malice aforethought and intent.

They've also gone further to say that it will continue. It will continue to occur.

I have great, great, serious reservations for the safety of my constituency staff. I know that a constituency office is not part of the precinct and I know it doesn't have the same terms, rules and conditions that apply to this place. I think if anything, Mr Speaker, we could find agreement among the three parties to see if there's anything that the three parties can come together to do to provide a more safe place in the negotiations or discussions with the House leaders, or even the security.

I would implore the Speaker to take direction and seek out advice from all parties, because I'm at the stage now at my constituency office where I've simply said, "Lock the door." Unbelievable in a democracy in Canada, in Ontario, in Toronto, that I, as an elected member for the people of Etobicoke Centre, have informed my staff to lock the door. I think that's a dangerous precedent.

1540

With respect to the second point of privilege, I think my rights as a member have been seriously usurped. I was in the building when the demonstration was taking place down the hall. On a separate and distinct point of privilege, I believe that all members—and as Speaker I believed that all members—should have unfettered access to this building in public forum, in public ways, to move freely without fear of reprisal, without fear of attack, without fear of any sort. This is a public institution that I've been duly elected to.

I don't think many members would think that it would be a stretch to consider that I did not have unfettered, reasonable access to the public hallways of this building today or the public places to meet or the places to meet that have been allotted to the Conservative Party or the government. I don't think it's a stretch to suggest that I didn't have that privilege, and there's a fundamental point to be made here: if I didn't have that privilege to move freely within this building, then my privileges were attacked. I was ushered in and ushered out for fear of recognition in the Parliament of Ontario. I was ushered into this building and ushered out for fear of recognition. Now, if a privilege hasn't been attacked on that status alone, then I know of no such privilege that stands higher than that: the freedom of a duly elected member to work for his constituency in the assembly of the province of Ontario without fear of reprisal.

I don't know how it occurred and I don't pretend to know how it occurred. All I know is, I don't want it to occur again. Again I would ask this Parliament to know that my privileges were usurped, that they again take this to the security committee of this Parliament and ensure that the powers are vested in the people responsible to give me reasonable and fair access to the democratic place in the province of Ontario that I have been duly elected to, and that no member should have to be fearful of reprisal or attack coming into this building. That's the privilege I stand on, and I know of no more important privilege.

Hon Mr Klees: If I might, I want to make two points pursuant to this. The first: if there was an offence taken

by anyone in the third party regarding a comment I made about the silence on the part of the third party, what I have attempted to do through this statement is to get the third party publicly on record as making their statement on this issue. If in fact they're prepared to make that public statement, then I will apologize to the third party.

I can tell you that the people in this province look to us as leaders in this province to make that statement—

The Acting Speaker: I'm skating on very thin ice here, and if you have something new to add to the point of privilege only, OK?

Hon Mr Klees: I do, and it relates to the issue of constituency offices. I'd like you, Speaker, to keep in mind as you consider this matter that whether the constituency offices are within this precinct or not, it is the place where we as members carry out our business within the constituency. If in fact we are prohibited or our staff is prohibited from carrying out our duties as elected members, then I suggest to you that is in fact interference with our parliamentary privilege. I ask you, as you deliberate on this, to keep that in mind, that our staff are our representatives. Anything that is done to our staff or to interfere with their functions is in fact being done to us as members.

Ms Lankin: I'll be very brief. For an apology to be genuine, it needs to be unconditional. I do not accept that I have heard an apology from the government chief whip.

The Acting Speaker: I've had very thorough and complete statements from those involved on this point of privilege. The Chair will be making a decision on it and will give notice in due course.

ORDERS OF THE DAY

VICTIM EMPOWERMENT ACT, 2001

LOI DE 2001 SUR L'HABILITATION DES VICTIMES

Mr Sampson moved second reading of the following bill:

Bill 60, An Act to give victims a greater role at parole hearings, to hold offenders accountable for their actions, to provide for inmate grooming standards, and to make other amendments to the Ministry of Correctional Services Act / Projet de loi 60, Loi visant à accroître le rôle des victimes aux audiences de libération conditionnelle et à responsabiliser les délinquants à l'égard de leurs actes, prévoyant des normes relatives à la toilette des détenus et apportant d'autres modifications à la Loi sur le ministère des Services correctionnels.

Hon Rob Sampson (Minister of Correctional Services): I'm going to be sharing my time with the member from Niagara Falls and the member from Simcoe North on second reading debate of this very important legislation that's currently before the House.

I want to start off by speaking to the fundamental core of the bill and then perhaps get into some of its com-

ponents to try to make sure the people of this province understand the thrust of the legislation and how it is very intricately connected to other legislation that this House has already considered in this session.

As I said when I introduced the bill, the title actually speaks very powerfully and directly not only to the core of the bill we're debating today, but also to many of the reforms and other initiatives we have brought forward to this House, either by myself and the ministry of corrections, by the Ministry of the Attorney General or even by the Ministry of the Solicitor General—the justice ministers' cluster, as we've been known to be called. We believe there needs to be far more accountability—I know that's a phrase that has been mentioned many times in this House—in the justice sector in the way in which justice is applied across the province.

When you speak, as I have many times, to Ontarians throughout the province—I in my riding of Mississauga Centre and many of the other colleagues in this House in other ridings throughout the province—about the concept of the justice sector or justice being applied in the courts today, I would say more often than not the surprising response is that many Ontarians don't feel the justice system is being just. They don't feel, many of them being victims of course, that the justice system is being just to them as victims of any particular crime.

It's a bit of a sad statement on how the justice system has developed over a number of years under a number of different governments, and since the criminal justice system is applied both federally and provincially, under both of those jurisdictions. It doesn't speak well for the way in which citizens should feel about the system of law that is there to protect them from those who would choose to disobey the laws of society.

The fundamental core of what we're trying to do is to somehow try, through initiatives in my ministry or other ministries within the justice sector, to bring some justice back to the justice system. One of the areas where we have heard many times that perhaps justice is lacking, or those who are facing the justice system feel it's perhaps not serving their needs, is in the way the justice system deals with not the criminals of crime but the victims of crime.

Many times throughout my time in this Legislature and my time in, now, two campaigns, I've heard that individuals who have come to the justice system as victims feel that their particular rights have not been attended to. In fact, many of them have said that to a large degree the rights of those who have committed the crime and have been convicted exceeded, it seems, throughout the justice system, the rights of those who are the victims of crime. That again, as I said earlier, cannot and does not speak well for the fundamental core of our society, which is the law system and a justice system to enforce those laws.

1550

Throughout all of our reforms in corrections, throughout all the reforms of my colleague the Attorney General and my colleague the Solicitor General, we have tried to

modify the justice system to speak more bravely and more boldly to the needs and the wishes of the victims of crime; hence, the Victim Empowerment Act that we're debating today. If you can't speak to the needs and the wishes of the victims in a just society, then how can you call it a truly just society? If the balance is out of whack between those who have had crimes committed against their personal property or themselves individually, and those on the other side who have committed the crimes, if the balance is not there, how can it be called a just society? Then how do people in society have respect for the law?

As you can see, it becomes one of those snowballs that rapidly rolls down the hill to the point that society has almost total disregard for the law and, again, society crumbles. I think if you're a student of history, you might be able to look back through the various history books and find some societies that indeed have crumbled because the respect for the justice system that was there at the creation of that society was not there when it crumbled.

So we need to re-establish that balance. We've tried to do it and, I believe, have made significant progress since 1995 in doing that, in spite of the fact, I would say, that we live in a rather strange democracy, so to speak, where a large part of the criminal justice system is in fact crafted at another level of government and it falls in our lap, as the provincial level of government, to enforce it. We've done our best within those handcuffs to rebalance the scales in favour of the victims of crime.

My colleague the Attorney General has done a number of things. A Victims' Bill of Rights was proclaimed, for instance, in 1996, which was an important step. Can you imagine, Mr Speaker? We've gone this far as a country, we've gone this far as a province, and we're coming very close to yet another birthday celebration for this country, but 1996 was the first time we'd had a bill of rights for victims. I suppose it's a bit sad, but it's never too late. So in 1996 we responded by establishing the Victims' Bill of Rights.

Now, there's been some criticism from the members opposite that perhaps that bill of rights and our initiatives surrounding that bill of rights have not gone far enough. I would say to my colleagues across the floor, there's always more that has to be done, but taking that first step is indeed a bold initiative that we took in 1996. Of course, we responded to the fact that there's always more that needs to be done by amending that bill, and we recently passed as a Legislature the Victims' Bill of Rights Amendment Act that created the permanent Office for Victims of Crime to ensure that there was always a body of individuals there whose sole job was to speak out and be the voice of victims collectively and, sometimes, individually.

Of course, the legislation establishing the Victims' Bill of Rights was proclaimed on June 11 by my colleague the Attorney General, during Ontario's Victims of Crime Week.

So you can see we've been taking some rather aggressive, yet bold, steps. Sure, I'll take the criticism. We're

learning to crawl before we walk, before we run, as it relates to rebalancing the scales of justice more in favour of the victims of crime. But at least we're making these steps, and the legislation before us will do that.

How will it do that? I know you're asking, Mr Speaker. Quite simply, by saying to victims of crime in this province, as it relates to those who are appearing before the parole board of Ontario, where currently you can call a parole board member who is presiding over the hearing, or you can write him or her or you can speak to him or her on the phone—that's the current arrangement—if this bill gets passed and you're a victim of crime, you'll be able to physically attend the parole hearing.

For the people who are watching or happen upon this Hansard, I think it's appropriate and important for me to make sure that I establish in the debate here the difference between the National Parole Board and the provincial parole board. The legislation that governs our authority over a component of the criminal justice system that I have charge of, and that's the corrections side, has basically said, "All right, provinces, we would like you to be in charge of the incarceration of those individuals who are sentenced as adult inmates to two years or less." Those who are sentenced to two years or more will spend their time in the federal system, and it is the federal corrections system that will deal with those particular individuals.

I want to make sure people understand we are dealing with those individuals who are serving two-year sentences or less, because those are the ones who are sentenced to Ontario provincial correctional facilities for incarceration and correction.

The federal legislation has said, "Provincial jurisdictions, should you wish to do so"—and we elected to do that a number of years ago as a province—"you can also have responsibility for the panel or the individuals who will decide whether or not somebody serves less than their fixed sentence."

Let me give you an example. If you're sentenced for two years less a day, you'll come—Speaker, I don't mean you personally, of course, but figuratively—to the provincial correctional system to serve your time.

Hon Frank Klees (Minister without Portfolio): He's serving it right now.

Hon Mr Sampson: Well, he may well be serving his time in the chair. I know at times he feels he has done that. I say to my colleague the chief government whip, he indeed presides over that chair quite well and performs exceptionally well. Of course, I get these platitudes in there because then I know I'll be able to get some freedom in my debate.

But, as I say to the Speaker, if indeed this fictional person gets sentenced to two years or less, they will come to our provincial institution. The federal act currently says, "Here's the way it works: you must serve at least a third of your sentence, but after you've served a third of your sentence, if you're on good behaviour, you are then eligible"—and that's an important word to grasp—"to

earn parole or get out of jail earlier based upon a number of factors that will be considered by the appropriate authority." The appropriate authority in our case is the Ontario parole board.

So the parole board in Ontario has the authority to say to somebody who's sentenced, "Listen, after a third of your sentence, if we deem it's appropriate, you can serve the rest of your sentence in the community." Conditions are, by statute and by practice, applied to these releases, and there can be a number of different conditions. I know one that says you must carry your parole papers, your papers that say you're allowed to be out, with you at all times, much as you and I would have to carry our driver's licence. It's a privilege to drive in this province. It's a privilege to be out of jail before the end of your sentence, so you need to carry with you the documentation that indicates you have earned that privilege. That's an example of one of the conditions that could be applied on early release.

1600

The parole board is performing a very important function, as you can see, in governing the safety of society, because it has the ability to say to somebody, "After a third or more of serving your sentence, you can get out." Some people might say, "Well, two years, what does that mean?"

Interestingly enough, what's happening, I say to you, Speaker, as I look at a former member from the riding of Lincoln who is sitting in the government's gallery here—I believe it was Lincoln. Yes, he's saying it was. I welcome him here. I knew you were going to recognize him, and I'm sure you will do that when I break, Speaker, if I did it incorrectly, but I do welcome him here.

The member from Lincoln knows this very well because he is a very active member of the John Howard Society, which deals with people who are either sentenced to community sentences or have been released from jail as part of the parole program. I say to my former colleague, my good friend Frank Sheehan, that he and the members of the John Howard Society do a very good job at that and I want to acknowledge that publicly here. Although we may differ in some of our concepts as they relate to some of the correctional stuff we're bringing forward, I think the John Howard Society is performing a good function for the people of Ontario.

Let me get back to the concept, though—Speaker, I know you're going to draw my attention to the bill—of victims at parole hearings. We believe that the very important decision on whether somebody should be allowed out of jail before the end of their sentence should very importantly involve the individuals who were involved in the establishment of that sentence: the victims. We have a whole criminal justice system: lawyers, courts, bail hearings. I know the lawyers in the House could go on and on about the intricacies of the justice system. All that involves a lot of time, a lot of money, a lot of effort in determining the guilt or innocence of an individual. We've done our best to make sure that the victim is dialed into that process, but how could you

succeed in re-balancing or properly balancing the rights of the victim and the rights of the criminal unless you involve the victim very directly in the decision of a release from jail?

We were talking about two years less a day being those who are under the provincial authority. People might say, "Those can't be very serious criminals." In the past, while those sentenced to two years less a day were criminals, many of their crimes were in, one might say, the lower category of crimes. Unfortunately, what's happening, though, is that the trend is that we are dealing with far more violent and far more serious crimes, and the criminals who have committed those crimes, in the provincial institutions.

Ms Frances Lankin (Beaches-East York): Tony, you can't go. There's no quorum.

Hon Mr Sampson: Yes, it's true, I say to the member for Beaches-Woodbine.

What we are dealing with at the parole board is the release of individuals who have, in many cases, committed very violent crimes. So it's very important for the victim to have a say in that. Currently in some jurisdictions in this country, the say is through either writing or calling a parole board member, who will then take that information, as well as other ministry-driven information and other relative information, into the parole hearing and present questions on behalf of the victim to the person who is seeking parole. If passed, this legislation would say, "No, you can actually go right in and attend."

Mr Michael Bryant (St Paul's): On a point of order, Mr Speaker: This is a very important bill, and I just want to check to make sure we have a quorum in the House.

The Acting Speaker (Mr David Christopherson): Would the Clerk check if we have a quorum, please.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The floor will now return to the Minister of Correctional Services.

Hon Mr Sampson: I thank the member for St Paul's for that break. I notice he is following the suit—literally, I should say—of the member from Essex. He's doing a good job in following that suit, although he should probably return it to the member from Essex when he's finished with it.

I should say, though, that we are now talking about the Victim Empowerment Act. Before I had a chance for that very nice break, I was speaking to the fact that victims would be allowed to participate in parole hearings, physically be there to sit in front of the criminal who is seeking early release and participate actively in the discussion—speak to questions, talk about the impact on the victim of the criminal being out early, speak in front of the criminal about the impact on the victim's life that this crime has had. They're very important things to talk about.

I know my colleague from the NDP has suggested we might want to go further and involve the media, lawyers,

a viewing gallery for this particular session. I say to my colleague, I suppose those are noble efforts, but the fact of the matter is it doesn't enhance the ability of the victim in any way to participate in that decision. In fact, in many cases it actually might detract from it. I say to my colleague from—I keep forgetting where Peter is from nowadays, Niagara Centre.

Ms Lankin: He hasn't moved.

Hon Mr Sampson: He has no idea where he's from? Is that what you said? And you don't know where he's from either.

I say to my colleague from Niagara Centre, listen, the time for lawyers to participate in the criminal justice system is over; it's been done. It's the trial. The time for the media to cover it is the trial. This is the time, finally, to rebalance the scale here in favour of the victim. So this act will do that.

There are other jurisdictions; we're not breaking new ground here. There are other jurisdictions in this country alone that do allow this type of participation. They have actually found it very helpful to the parole board in making decisions. The victims have found it indeed a very effective way of giving their input. Least of all, it's one of the better ways of victims being notified of what's happening, as opposed to finding out through either a media release or a police release or walking down the street, for gosh sake, that the person who six months ago committed a terrible crime against them and was sentenced to two years is now out on the street. So it serves a number of purposes.

That's not the only thrust of this bill. I know my colleagues who are speaking are going to want to expand on other components, and perhaps even the ones I spoke to as well, but I do want to spend a few more minutes of my time to talk about the other thrust of the bill, which is to empower the ministry to monitor the telephone calls of those individuals who are within the corrections institutions across this province and are charged to this ministry for our care.

1610

Interestingly enough, the day I tabled this particular bill I received a letter from somebody whose name I won't mention because that got somebody into trouble not too long ago in debate in this House. But it was from a victim who was complaining about continually being harassed by the person who had victimized them, while they sat in jail. This individual didn't know this was allowed to happen, and I frankly agree.

Look, there are needs and requirements of those in our institutions to use a telephone to communicate with those who are outside, whether they be family or friends or those who are counselling and helping them deal with their particular challenges in jail. It's not the intent of this bill to cut that off.

The intent of this bill is to stop, as much as we humanly can, the continuing harassment by criminals, while they're inside jail, of victims who are outside; to stop those who are in our jails from making arrangements for the receipt of drugs and the shipment of drugs inside our

jail system; and to stop those who are in our jails, believe it or not, from committing further crimes, either themselves or in conjunction with others who are outside, while they are serving time in our jails.

It's happening now. It's happening in the federal system, it's happening in the provincial system, it's happening in other jurisdictions. What we've got to do is provide the appropriate tools to the ministry, to those who are working very hard in the ministry, to do the job of protecting the citizens of this province. We've got to give them those tools to be able to monitor these activities and, where appropriate, stop them. And, where appropriate, to send the information of further criminal activity to those who are best able to proceed with that information—the police, for instance—so that subsequent charges, if any, could be applied.

It's just common sense. We're not doing it now and we need the authority to do it. Is it being done in other jurisdictions? Yes, it is, it's being done in the federal jurisdiction. Has it stopped every shipment of drugs into the federal institutions? No, it hasn't. I'm not naïve enough to stand up here and say that this is going to stop every drug incidence in our jails. It's not. But what it's going to do is to give us the tools to better control what is coming in now and give us the tools to work those numbers down, because we can't have effective drug programming in the institutions in this province if there's a continuing supply of drugs coming in, arranged by phone calls going out.

We need the authority to do this. I say to my colleagues in this House, I don't know how else or whatever other tools, given today's technology, that we could use, other than the ability to be able to monitor phone calls. Will there be the ability to have private calls, solicitor-client discussions? Yes, of course.

The intent is not to stop that, the intent is not to violate those rights that are actually firmly established in the jurisprudence in this country. It's not quite covered under the human rights statutes, but they're covered under the jurisprudence. Solicitor-client privilege is important and needs to be maintained and protected, and we'll do that. But we've got to stop the threatening phone calls that are made from jail to victims.

We've got to stop those who have committed sexual crimes—and believe it or not, I'm aware that it's happened—who have committed crimes against young people. We've got to stop them picking up the phone and calling their victims at home. It's happened. We've got to stop it because it's not right for anybody, most importantly the victim, which is again why this particular initiative is covered under the Victim Empowerment Act.

Speaker, I think what I should probably do now is yield the floor to my colleagues who may want to speak on the same theme. There are other components of this piece of legislation further empowering the victim either directly or indirectly. I say to the Legislature, the members who are here today, those who are listening: these are important tools that we need to reform corrections.

I'm not going to argue that—many of the reforms we're bringing forward are, to some groups, a bit chal-

lenging. We have a system in this province that is doing the best we could possibly do for the tremendous amount of money we are spending in this business of corrections.

To the many employees of this ministry who are either watching today or likely to see a copy of the Hansard today, I want to say that I acknowledge their efforts. Apart from the union rhetoric, when I talk to the individual correctional officers, they feel frustrated because they don't have the tools to help them do a better job. One might argue how you get to that nirvana of having the appropriate tools. You may, as a member of this Legislature, debate how we're getting there. I surely hope you don't debate that we're trying to get there as an objective. You might complain about the route we take, but surely trying to provide a system that's better for those who are working in it, better for those who are relying on it for justice—the victim—surely, trying to get there has got to be something that we collectively can agree on.

On that point, I'll yield the floor to my colleague from Simcoe North.

Mr Garfield Dunlop (Simcoe North): Thank you very much for allowing me to say a few words today on the Victim Empowerment Act. I'd also like to thank Minister Sampson for bringing forth this legislation, Bill 60. I just wanted to read out the long version of it: An Act to give victims a greater role at parole hearings, to hold offenders accountable for their actions, to provide for inmate grooming standards, and to make other amendments to the Ministry of Correctional Services Act.

I've worked very closely with Minister Sampson. I know he's very committed to reforming corrections in Ontario. I look forward to the debate we'll hear on Bill 60 over the next few days.

Giving victims a voice and taking the leadership role to support victims of crimes are of paramount importance to all of us, not just government members but members of all political stripes. I think we all recognize our responsibility as members of the government to assist victims of crime. That's why, during the past five years, through several ministries, we've taken actions to support victims of crime and respond to their needs.

This government has taken action to ensure victims are treated with respect in the justice system and receive the services they need. The Victims' Bill of Rights, which was proclaimed in 1996, was an important step in acknowledging and responding to the needs of victims of crime. The legislation supports and recognizes the needs and rights of victims of crime in both the criminal and civil justice systems.

The key elements of the Victims' Bill of Rights are: a set of principles setting out how victims should be treated by officials at different stages of the criminal justice system—

The Acting Speaker: Point of order, the member for Beaches-East York?

Ms Lankin: Thank you, Speaker. I wonder if the government is failing to keep quorum in this place. Could you check?

The Acting Speaker: Is there a quorum?

Clerk Assistant: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

1620

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Simcoe North may continue his remarks.

Mr Dunlop: I'll continue with the key elements of the Victims' Bill of Rights.

The second point I wanted to make was making it easier for victims of crime to sue their assailants in civil actions; supporting child witnesses by making it easier for children to be witnesses in civil proceedings; specifying that money collected from surcharges on provincial and federal fines is to be credited to the victims' justice fund and be used exclusively to assist victims.

Our victims legislation is among the most comprehensive in Canada. Recently, we passed the Victims' Bill of Rights Amendment Act, which creates a permanent Office for Victims of Crime to ensure the principles of the Victims' Bill of Rights are respected. This office will consult with victims and advise the government on standards for the delivery of victim services; legislation and policy relevant to victims of crime; the use of the victims' justice fund; and research, information and education on victimization and its prevention.

The bill of rights specifies that money collected from surcharges on provincial and federal fines is to be credited to the victims' justice fund and be used exclusively to assist victims. The annual revenue credited to the victims' justice fund is approximately \$20 million. This revenue supports services for victims, including the victim/witness assistance program, the victim support line and the victim crisis assistance and referral service. As promised in the victims' justice action plan, this revenue will be used to enhance access to victim services across the province.

This government has taken a leadership role in supporting victims through all stages of the justice system by introducing new programs and expanding support services. In fiscal year 2000-01 we spent approximately \$135 million on over 40 projects and initiatives in the areas of safety, justice and prevention to help meet the needs of victims in Ontario. This level of funding is unprecedented in our history.

If passed, the Victim Empowerment Act would be another step in helping victims and, more importantly, giving them a voice in our parole system.

Under the current system, victims can only express their views about parole candidates in writing, by telephone or in person at a regional Ontario Board of Parole office or at a correctional centre. Victims are not allowed to watch the proceedings or comment directly while in the presence of the offender. To me, and to others, this is an insult to the victim. After all, they are the ones who have suffered the most. They are the ones who know first-hand how much damage the offender has done to his or her life. They are also the ones who, in most cases, have been traumatized by the offence. They are the ones

who should, by all right, be there when the offender is up for parole.

I agree with Priscilla de Villiers, founder of CAVEAT, when she said, "How could the parole board make any decision on the safety of the victim, on the safety of the public, if it doesn't have their story? When you have a case watered down to a few words on a paper, you don't get the horrendous nature of the crime." Or what Miss Rachel Savage, a victim, said when she had to make a submission to the board, "They couldn't see me shaking. They couldn't see the makeup I have to wear to cover my scars. I didn't get to say to him in the face, 'You have destroyed my life.'"

On that, I had an opportunity this morning, on an educational matter, to meet with Ms Downa Spears. In 1991, her daughter Monica was brutally murdered by a very sick, domineering and jealous boyfriend. Ms Spears, as a victim, works tirelessly with schools across our country, trying to bring awareness so that similar crimes don't happen to others in the future.

With the introduction of this legislation, we are proposing to permit victims of crime greater participation by allowing them to attend and present information at the parole hearings. Victims will be permitted to bring an assistant, such as a friend, relative, counsellor or translator, with them to the parole hearing. The assistant will not participate in the parole hearing unless they are attending the hearing for the purposes of translating for a victim. They are simply there to support the victim.

Victim participation at parole hearings would ensure board members and offenders have a clear understanding of the effects of the crimes and concerns of victims about the proposed release of offenders. As all of us know, the parole board considers a wide variety of information at each parole hearing, including the criminal record, police and court information about the current offence, reports about the offender's behaviour and program participation while incarcerated, and future plans the offender may have regarding treatment, employment and residence. The board welcomes the input of victims as valuable information to help complete a picture of the offender when considering his or her eligibility for parole. The proposed changes would also allow victims to seek a review by the chair of the Board of Parole if they are not satisfied with the decision concerning their participation at the hearing.

Another way that victims are protected through this bill is the monitoring of inmates' telephone calls, and Mr Sampson alluded to this very briefly. In speaking to victims and their families, we have learned that the effects of a crime do not necessarily end when a trial has ended. We know of instances where some offenders have actually harassed their victims with telephone calls from jail as they await trial or while serving their sentences.

Just because a person is behind bars doesn't mean they're beyond the arm of the law. To me, it's just plain wrong that offenders are allowed to harass their victims or plot illegal activity while in custody. Under this bill the Ministry of Correctional Services would implement

regulations and policies that would allow correctional institutions to block and monitor, where necessary, offender calls to third parties. Calls to victims and persons suspected of planning criminal activity would be specifically targeted by the new technology. Third parties, such as victims, may request that telephone calls from inmates be blocked.

Blocking and monitoring of inmate telephone calls where necessary may also improve employee and inmate safety within the institution by reducing the incidence of contraband and other criminal activity that may be planned during telephone conversations. I know that this measure is a bit controversial, but I think it is necessary to protect victims and to protect our communities from crime. As a local paper of mine, the *Barrie Examiner*, said in its opinion section, "The proposed legislation is designed to do two things: protect victims from harassment from inmates, and stop inmates from making calls to arrange criminal activity. Both are excellent reasons to deprive inmates of their right to privacy. It's a good bill, designs to give the government more control of the environment of inmates and give higher standards to the victims of violence. It strikes us as the right mix."

I'd like to just make a few comments about a couple of other thoughts that I had and wanted to discuss, and that was on the grooming standards that the Victim Empowerment Act brings forward. As a priority of our government, health and safety are top priorities in all of our institutions. The Victim Empowerment Act would allow for the establishment of grooming and appearance standards for provincially sentenced inmates for safety, security and health reasons. This will contribute to the health and safety of all inmates and of the staff. These standards would help inmates focus on how to present themselves as a responsibility to maintain their personal appearance. The standards would give inmates the opportunity to exercise self-respect practices and structure. Grooming and appearance standards would also enhance safety, health and sanitation within the correctional environments. Exemptions to the grooming standards may be made for medical, religious and/or cultural reasons.

Currently there are institutional standards regarding grooming but no formal policy to actually enforce them. The new standards would expand the standards and the ability to enforce these standards. Provincial inmates must also receive permission to alter their hairstyle or growth of facial hair, must remove jewellery upon admission to a correctional facility and wear institutional clothing. If inmates fail to comply with the standards, they would be subject to certain penalties, such as the loss of remission credits.

I want to say in closing that I support Bill 60. I'm pleased to be able to speak on behalf of Minister Sampson. I think we are on the right track with this legislation. For our facilities that house inmates for up to two years less a day, I think it's good legislation and I would expect the full support of this House on this legislation.

For the last few minutes, I'd like to turn it over to Bart Maves so he can make his comments.

1630

Mr Bart Maves (Niagara Falls): It's a pleasure for me today to rise and speak to Bill 60 and congratulate the minister responsible, Mr Sampson, the minister for corrections, for this piece of legislation. Particularly I also want to congratulate the previous member, Mr Dunlop from Simcoe North, for his comments. I know they were well thought out. He diligently spent a lot of quality time putting together some of his notes for that speech, and I congratulate him for it.

He talked quite a bit about some of the changes this government has made and some of the things we've brought in for victims of crime over the years. That's important to know. I congratulate him for that. We're continually concerned about victims of crime and seeing to it that they have more of a voice in our justice system, that they're treated with more respect within our justice system, and that the justice system in general is more concerned and has the needs of victims front and centre when those victims are going through the justice system, because in years gone by, it seems it hasn't been enough.

These folks have been victims of crime. They seem to be continually victimized by the justice system. I don't think that was anything by design, obviously, over the years. I don't think people in the justice system ever intended that to be the case, but our history is filled with a litany of examples of people who were revictimized by the justice system after a crime had been committed against them. I congratulate the members for continuing to talk out about the needs of victims of crime, and the minister for continually supporting the needs of victims of crime.

One of the parts of this bill is paragraph (t), which reads, "providing for the monitoring, intercepting or blocking of communications of any kind between an inmate of a correctional institution and another inmate or other person, where reasonable for protecting the security of the institution or the safety of persons."

The minister for corrections stood in his place earlier and talked about this, that one of the reasons for this is that criminals, once in jail—our history is filled with a litany of examples of where criminals end up being able to communicate from jail with their past victims.

I can imagine nothing more shocking, alarming and upsetting to a victim of crime than to have been the victim of crime, to have gone through the justice process, to have the perpetrator of that crime behind bars, and to be sitting down one night, perhaps watching TV with someone at home, and all of sudden the phone rings and who's on the other end of the phone but the perpetrator of that crime. It's something that has happened. It's terrible that this has happened. This piece of legislation obviously is directed at making sure that doesn't happen again.

The minister said that he doesn't think anything is perfect, that he doesn't think we're going to eliminate that communication entirely, but I think this goes a long way in attempting to do that, and I think it's a laudable goal, and the minister needs to be congratulated for it.

Furthermore, there are obviously examples of criminals in jail continuing to participate in crime, in the criminal element, by communicating with accomplices in the outside world. Again, by monitoring and limiting their use of communications instruments from within a facility, we can hopefully put an end to this, maybe not entirely, as the minister has said, but make a big dent in this.

One example the minister talked about, and has been talking about for years—and it's actually shocking to lay people at home when you think about—is when we hear about drugs in prison. Everyone wonders, "How the heck do you get drugs in prison?" It's a lockdown facility, you've got prison guards, but it seems there is a continual problem in facilities all over the world of drugs in prisons.

I was on a TV program several months ago, in my capacity at that time as the parliamentary assistant for the Minister of Community and Social Services, and one of the people who was on the program with me was Leah Casselman, who is the head of OPSEU. Before she was the full-time head of OPSEU, I believe she was a prison guard in a young offender facility in the province of Ontario. There was a variety of different topics that we had that night, but one of the topics that came up was the private sector perhaps running prison facilities. I made a comment about the incidence of drug use currently in our prisons in Ontario and in Canada, and she made the remark, somewhat sarcastically, "Wow, what a revelation, drugs in prisons."

I thought afterwards that it's somewhat sad that it's actually that common an occurrence that someone who worked in that sector and is a representative for prison guards in that sector would refer to it in such a way, almost off the cuff, almost as if it was no big deal. That was alarming to me. I don't want to cast aspersions on Ms Casselman. The point I'm trying to make is not that she doesn't take it seriously—I'm not trying to paint that picture—it's just that it has become such a common thing. That was alarming to me when I thought about it afterwards.

We have to sit back and say, "How can we perhaps put a dent in this?" Obviously, if prisoners in our jails have access to drugs, drug use could very obviously lead to assaults on our prison guards, assaults on our institutions. If anyone who has a drug problem—and perhaps a drug problem led to their committing a crime in the outside world—continues to have that drug problem in jail, I think that's rather alarming to many people in the public here in Ontario.

I think we all know, we all have in the back of our minds, that indeed this shouldn't be. Prisoners shouldn't be able to get hold of and use drugs in prisons. The minister has said the same thing. He says it's shockingly occurring too frequently that prisoners are getting drugs in jail, and we have to make an attempt to stop that occurrence. It's a matter of safety for some of our prison guards, obviously.

I think the section of this bill which will provide for "the monitoring, intercepting or blocking of communica-

tions of any kind between an inmate of a correctional institution and another inmate or other person, where reasonable for protecting the security of the institution or the safety of persons," is a logical, fair attempt by the government to put a dent, hopefully a very large dent, into this practice of getting drugs into jails. If the person can't communicate with someone from the outside world on a plan to get drugs into jail, then logically one would assume we are going to make that kind of dent in this practice of drug use in jails.

1640

I don't know, not having been a prison guard—and I believe there are members in this Legislature who have been prison guards in the past and will have an idea of other ways that happens, other ways that drugs come into prisons. Maybe we'll be able to hear from them—

Ms Lankin: Not on the record.

Mr Maves: We won't? Maybe we won't hear that.

Ms Lankin: This is family viewing.

Mr Maves: If members want to talk about that, maybe they could do it in such a way that would acknowledge this is a family viewing hour and be careful how they describe the importing of drugs into jails. It could be a sensitive subject for some, I guess. However, I digress, and I don't want to do that.

I commend the minister for this small, albeit extremely important, step in reducing drug use in our prisons, making our prisons safer for all those inside, most especially and notably our prison guards. We've recently seen a riot by prisoners in the Whitby Jail. I have no idea whether drugs played a role in that. However, one could assume that someone who had access to and was on drugs in a prison facility would obviously be much more dangerous for our guards to deal with, much more prone to rash actions and things like rioting. Again, I commend the minister for that.

I can't say strongly enough, really, how I feel about a prisoner in jail communicating with a victim. As I said at the outset—and we have read about examples in the past—just thinking about a poor victim of crime, after they have been victimized and got through the justice system, and the perpetrator of the crime is in jail, for that person a short time later to be sitting probably within the safety and confines of their home and pick up the phone and all of a sudden hear the perpetrator of that crime on the other end is just a horribly upsetting thing. The minister has addressed that, and we must commend him for it.

That's why I stand today in support of this legislation. I would encourage all members of the assembly to similarly support this bill. I imagine that some of the members opposite may rise and complain that maybe the bill doesn't go far enough for them in some way. If that's the case, then I hope they are willing to let the minister know of other avenues they think he can take in the future that can also help us stop these incidents from occurring. Short of that, I do hope they will support this bill as it is. If they do believe we need to go further, then I'm happy, and I'm sure the minister of corrections

would be happy to take all their suggestions and see if they might be something we could put into future bills.

Thank you, Speaker, for allowing me the opportunity to address this bill.

The Acting Speaker: Anyone else on the government side to conclude the time?

Mr Carl DeFaria (Mississauga East): Yes, Mr Speaker, I would like to join in this debate and to congratulate the member for Niagara Falls, the member for Simcoe North and the minister.

I hope all members of this House will support Bill 60. The Victim Empowerment Act is part of the government's support of victims across this province. I am sure the member for Niagara Centre will be speaking on this issue, and I'm sure he will strongly support this measure. I am familiar with the member's position on victims' rights. He was a former defence lawyer, as I am, and I'm sure he understands this issue very well.

What is happening is that across Ontario in the past few years our government has been ensuring that victims receive better treatment. I can tell you situations where people have complained to me in a trial that during a trial day the accused person in jail will be fed lunch but the victims are not assisted with lunch or anything, and sometimes they have to be there all day waiting for the case to be called. They are not assisted in any way. All those things have to be addressed. It is time to put victims' rights ahead of criminals' rights.

Giving victims a voice in parole hearings is so important, allowing victims to be present at hearings to tell their side of the story. Telling the parole board how they feel about being victimized and how the incident affected their lives is so important for the administration of justice. Also, allowing them to have interpreters with them is something that will go a long way in making sure they feel comfortable at these hearings.

Being the parliamentary assistant for the Minister of Citizenship, I can tell you that at the Ministry of Citizenship, one of the interpreter services we administer is for the domestic violence courts. Victims who have been through the domestic violence courts that we created in Ontario—in some courts we have a specific court for domestic violence, and the victims are provided with interpreting services and all kinds of support. The feedback we get is very good.

The court system is a very difficult and confusing system. Usually the accused is represented by a lawyer. The victim arrives at the courthouse and the trial for the matter is set for 10 o'clock. Sometimes it's not called until 2 or 3 o'clock in the afternoon, and the victim is usually waiting in the corridor without any assistance or anyone monitoring what's going on for them, other than the police officer who speaks to them once in a while, or the crown counsel, who is very busy inside the court, once in a while used to come and talk to the victims. Providing assistance, as we have been doing in the past few years, goes a long way. I hope all members of this House will support this bill.

The Acting Speaker: It is now time for questions and comments.

Mr Bryant: The member for Niagara Falls threw out the challenge. He said that if we take the position that victims are not appropriately empowered in the province of Ontario, then we'd better come up with some suggestions. I say to the member, haven't you been listening to us all this time when we stand up day after day and say what ought to be done for victims of crime, and day after day this government pays lip service to victims but isn't providing enforceable rights? We are a province that's falling behind in terms of empowering victims. The provinces of Alberta, Manitoba, Nova Scotia and New Brunswick all have enforceable victims' rights legislation. We do not. We have a toothless Tory law.

Do you want to have some proposals? I've been calling for a long time for a provincial victims' services standard. So is the Office for Victims of Crime.

1650

Legal representation for victims where necessary, where they have to go before the court as a result of being a victim before the criminal justice system.

How about a mandatory opportunity for victims to provide impact statements, where the crown has to provide a reasonable opportunity? This government won't do that.

How about the mandatory provision of information by victims? That would be a real victims' rights bill and that would empower victims. There's nothing like that in this bill, that's for sure.

Enforceable employment protection for victims, so that if they have to go and testify, whether before a parole board or otherwise, they won't find themselves without a job.

Mandatory treatment of victims with courtesy and respect, enforced by the Office for Victims of Crime or the Ombudsman or otherwise.

We've been bringing forth these initiatives. That would empower victims. That would not be a toothless Tory law. That would not just be paying lip service to victims; that would back it up with real, enforceable rights for victims of crime.

There is a big surplus right now in the victims' justice fund that's sitting there. We need to get it out the door, and this government won't do it. There are uncollected fines and bail forfeitures that ought to be collected, restitution for victims, yet this government is sitting on that.

I could go on. The member for Niagara Falls asked what else they can be doing, and I've only just begun.

Ms Lankin: I'm pleased to have an opportunity to respond to a number of government members who spoke.

I say to the member for Mississauga East, he raises very legitimate issues when he talks about expenses that victims face in participating in the judicial system. Unfortunately, this bill does nothing to address that issue and provide for expenses for victims.

He talks about the role and the empowerment of the role of victims in the parole hearings. Unfortunately, this bill leaves it to a behind-closed-doors decision by cabinet with respect to the extent that a victim can participate.

The federal government at this point in time already goes further. They have a process that allows access to federal parole hearings for members of the public and for victims. Copies of written decisions are issued on request.

I would say to the members opposite, the bill falls far short of the title, unfortunately, in terms of victim empowerment. In Ontario, not only are members of the public and victims shut out of hearings, they're denied information about why parole was refused or granted. We believe that the public has a right to know; in particular, we believe the victim has a right to know.

There are a number of areas the minister spoke to when he spoke to correctional institutions, and I can have great sympathy for the intent of some of what he is attempting to achieve. Having spent time working as a correctional officer in Ontario's correctional facilities, I know the truth behind some of his comments, but I suggest some of the measures, again, fall short of practical ways of actually implementing that change.

I think one of the things that disturbs me the most is that on a continuous basis the government stands and proclaims itself to be defending victims' rights, when we have had a written judgment by Judge Day in this province that the bill of rights is absolutely toothless. The Victims' Bill of Rights provides no rights, and I suggest to the members opposite that that would be a place to start. Let's have a true and meaningful set of victims' standards, a meaningful Victims' Bill of Rights.

Mr Joseph Cordiano (York South-Weston): I too would like to comment, in the two minutes I'm granted, to suggest that the government would like the public to believe that their bill is such a wonderful initiative and that they stand firmly behind victims. We know for a fact, as my colleague the member for St Paul's has pointed out in his two-minute remarks, that this government has failed on a number of counts to put some real muscle in this legislation and other legislation dealing with victims of crime. It is, I repeat, a toothless bill of rights that they've brought forward for victims of crime.

As has been enumerated in previous comments by my colleagues, and also by the member for Beaches-Woodbine, there is no province-wide standard for victims of crime, as has been recommended in A Voice for Victims, through the recommendations made with regard to enhancing the voice for victims of crime.

Legal representation for victims is not permitted by this government when there is a parole hearing. These are important supports that should be there for victims of crime. This government has failed to deal with those items and has not made this legislation, and previous legislation dealing with victims of crime, substantial enough. They have not gone as far as the federal government has with respect to a number of these items. I would say to the government that you need to go a lot further to make this happen truly for victims of crime.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): It is a pleasure to take part in the debate this afternoon. Members on this side of the House and the

Minister of Correctional Services spoke very eloquently and in great detail for about 32 minutes on this bill. He's carrying this bill very well. The member from Niagara falls, naturally, is always very concerned not only about his constituents but also about law and order and especially for the victims. Of course, the member for Mississauga East is a lawyer. He knows what he's talking about. He's certainly in the court. The member for Simcoe North, and of course the members from the other side—the members from Beaches-East York, York South-Weston and St Paul's; the member for Beaches-East York did speak on this subject. Many times they will speak about any bill, saying what it does not do. "This doesn't do that. This doesn't do that." Of course there are things to be done, and that's why this government is taking an initiative to make sure we are here to fix the government.

This bill is fairly simple. It's a continuation of the common sense approach, the Common Sense Revolution. One of the things, if I may deliberately get into the bill in that sense, is that it prescribes standards of professional ethics for persons employed in the administration of this act and requiring compliance with those standards. It's very basic, very simple and very important to make sure that people involved in the administration do have and carry on under professional ethics.

As far as grooming and appearance standards for inmates, that's fair; nothing is wrong with that. Especially from the safety point of view, you want to make sure they don't have any jewellery or anything which can not only harm themselves but harm other inmates as well as harm the security officers.

The Acting Speaker: It is now time for one of the original speakers to take up to two minutes to respond.

Hon Mr Sampson: I thank my colleagues for their input today. The member for St Paul's says they're just beginning to come forward with suggestions on how to better represent the interests of victims in the criminal justice process. I'd say that it's quite clear that you're just beginning on this. You're the johnny-come-latelies to the concept of the criminal justice system and a far more effective and efficient criminal justice system. We've been trying to do that since 1995. Are there things to be done that can improve on things we've already done? Yes, of course there are. I think the Attorney General has and certainly I have said that in many cases.

I find it passing strange that again from the Liberal bench we have the statement—you used to say of us on this side, "You're going too far and too fast." Now of course you're saying, "Wait a minute now. No, you're not going far enough, and in fact you're too slow." It's not surprising, coming from the Liberal benches, who as you know have—

Interjection.

Hon Mr Sampson: Well, you have a fairly good track record of taking a position on absolutely both sides of an issue. You'll hop from one to the other with efficiency and regularity. In fact, you have that skill down, I would say—

Interjection.

Hon Mr Sampson: You have that skill down, I would say to the member for St Catharines, to a gold medal standard. In fact, nobody else enters that competition any more. It is owned by the Liberal Party.

To my colleague who I see has joined us here on the NDP benches, on behalf of him his colleague spoke of their party's interest in seeing the media participate and the lawyers participate and a whole new court process set up for this. Look, the lawyers' time is done with. The court system is done with. It's just simply now the victims' time.

1700

The Acting Speaker: Further debate? The Chair recognizes the member for Hamilton Mountain.

Applause.

Mrs Marie Bountrogianni (Hamilton Mountain): That's the most I've gotten in a long time.

I'll be sharing my time with my colleagues from St Catharines, York South-Weston and Davenport.

I'm happy to speak on Bill 60, entitled An Act to give victims a greater role at parole hearings, to hold offenders accountable for their actions, to provide for inmate grooming standards, and to make other amendments to the Ministry of Correctional Services Act. The title is almost as long as the bill.

The bill does do one important thing: it will give the victim the right to appear and make a presentation to the parole board while the offender is present. Currently the victim is allowed to express their views by phone, in writing or in person while the offender is absent. The victim currently cannot watch the proceedings or comment directly when an offender is present.

The Office for Victims of Crime has recommended that victims be given expanded rights at parole hearings. This bill will allow for that and we on this side of the House agree with that. This same report, the Office for Victims of Crime report, A Voice for Victims, released in 2000, made a series of recommendations. It's a 200-page report. The government is selectively choosing to implement this single recommendation out of this document.

The Voice for Victims report called upon the government to introduce, as my colleague from St Paul's mentioned, a province-wide victim service standard which thus far the government has failed to do. A province-wide standard would ensure that all Ontarians, no matter where they live, would have access to an adequate and equal level of victim services.

The proposition to give victims a greater role in the sentencing and parole hearings has been greatly lauded from all sides. However, one important caution needs to be raised. In many cases the justice system is already hard to navigate and is perceived by many victims as distant and reactionary. In particular, women and women of colour or disability are less prone to seek justice by accessing the police or court system. It is important to ensure that justice is assured.

A victim impact statement can have a greater or lesser degree of influence on sentencing according to how persuasive the testimony is. This could perpetuate a

situation where those who have English as a second language, those who are less eloquent, less able to speak before a crowd or still so affected by the crime that they choose not to present, have a lesser degree of justice afforded to them.

I'd like to point out a key difference in language, attitude and approach between this government's perspective on justice and the US Department of Justice. The Office for Victims of Crime of the United States, by the way, was created in 1983 and formally established in 1988. Their mission is "to enhance the nation's capacity to assist crime victims and to provide leadership in changing attitudes, policies, and practices to promote justice and healing for all victims of crime. OVC accomplishes its mission in many different ways: administering the crime victims fund, supporting direct services, providing training programs that reach diverse professionals across America, sponsoring demonstration projects with national impact, and publishing and disseminating publications that highlight promising practices in the effective treatment of crime victims that can be replicated throughout the country."

No one is naïve enough to think that any jurisdiction has all the answers or has done enough to combat violence. In particular, I'd like to relate this to violence against women. This government likes to talk a lot about their law-and-order agenda but their legislation is toothless: re-announcements of old policies.

The government introduced Bill 117 supposedly to protect women against domestic violence but did nothing to prevent it from happening. They cut funding for second stage shelters. They haven't approved increased funding for the Metro help line, where for every call received, two calls are neglected. They failed to endorse the emergency measures which the Liberals supported, which were brought forward by women who work in the trenches and know what is required to actually help women and prevent domestic violence.

We have received notice this week that Corus Entertainment has been approved for the licensing of a new television channel which will solely broadcast slasher movies. This Legislature does nothing to prevent victims. Back in 1993 a Liberal MPP, the women's issues critic of the day, introduced a resolution which received all-party support against the proliferation of slasher movies. But I've learned in the two years that I've been here that getting all-party support doesn't often lead to implementation or passing of bills or resolutions in the end.

Let me talk about this slasher TV channel our kids will be able to see. Valerie Smith, in her letter to the Attorney General of Ontario on this issue, states, "Slasher films are even more extreme in their promotion of violence against women and girls. They are the most brutal, gratuitously violent genre of film ever created and Corus Entertainment intends to broadcast them on television."

There's a great deal of research that shows there's a correlation between amounts of violence viewed and amounts of violence in people's behaviour. As the noted forensic psychiatrist Dr Dietz commented at the Jeffrey

Dahmer trial, "If a mad scientist wanted to find a way to raise a generation of sexual sadists in America, he could hardly do better, at our present state of knowledge, than to try to expose a generation of teenage boys to films showing women mutilated in the midst of a sex scene."

The government has taken no action on this issue. These new stations will be broadcast into our homes for easy access for all young children. Today I have written to the AG supporting Valerie Smith. I've written a letter to Minister Sheila Copps through the CRTC to re-review this program, as well as to the minister responsible for women's issues, Dianne Cunningham.

More on the proof that this needs to looked at seriously: the American Psychological Association has estimated that a typical child sees 100,000 acts of violence on TV before finishing elementary school. There is a strong correlation between viewing violence and aggressive behaviour.

Robert Ressler is a former FBI special agent who founded the agency's criminal profiling program. "Ressler said, 'The violence industry is thriving in this country,'"—he's obviously talking about the United States—"there are no controls, and we are paying the price in Jeffrey Dahmers [the Milwaukee sex killer]. There is an obvious cause and effect. The inner sanctum is in complete agreement on this. On the periphery there are more divergent views."

"Ressler said convicted serial killers have told him that they have 'tripped out' ... with the aid of detective magazines."

Truly sick people and yet we are increasing the probability of these people acting out when we have these violent programs freely on broadcast.

Leslie Mahaffy's mother blasted this Legislature years ago for not doing more to ban so-called slasher films that glorify the torture and killing of young women. "By condoning and tolerating these films, your government clearly endorses the undue exploitation the producers and sellers of this violence, cruelty, hatred and horror create." She was not talking to this particular government, but the point is, nothing has been done since then.

Antonia Zerbisias saw the film in the debut program and stated, "I was nearly blown out of my chair by the violence. Even the Star's Rob Salem, who has a higher tolerance for this stuff than I, agreed the tape was excessive."

I truly hope the government responds to Valerie Smith's letters, our letters and insists that something be done about this violence freely on TV for our kids to watch.

This talks about empowering victims. Let me talk about some other victims in my hometown in Hamilton. These are victims who are falling—try and stay awake, House leader of the third party.

Mr Peter Kormos (Niagara Centre): I'm listening. Apologies.

Mrs Bountrogianni: Thank you. I know it's hot in here.

Mr Kormos: There's very little oxygen.

Mrs Bountrogianni: Thank you. Let me talk about the victims in my riding in children's aid, kids who have been waiting for years to be adopted, kids who have been delayed because of a situation in Hamilton in the Unified Family Court.

Officials from the two children's aids approached my office a few months ago and said, "Our kids are falling through the cracks. Something is wrong with our system here. We take longer in our court system. We have more motions than any other jurisdiction in Ontario. We spend a larger percentage of our budget on legal funds than any other jurisdiction in Ontario. We have more visits from social workers to homes, which of course costs money, than any other jurisdiction in Ontario and yet per capita we have fewer cases than any other jurisdiction in Ontario."

1710

All I did was ask the Attorney General to review the matter, and he promised he would. We confirmed the concerns of children's aid by going to the Attorney General's Web site, and we saw that indeed this data was correct. What happened? Even though, to his credit, the Attorney General said he would look into it, when a reporter from the Hamilton Spectator called a spokesperson in the Attorney General's office, first they said, "There must be more cases. That's why it's more expensive." Of course, when this was not proven to be the case, they said, "Well, the numbers are wrong. The data is wrong. Anecdotally, everything's fine in Hamilton. There's no need for a review."

Two weeks later, the data is still on the Web site just as it was originally. If the data was wrong—this is the Attorney General's data, not my data—you would think they would have taken it off the Web site. I don't believe the data is wrong. I could be wrong, but I don't believe the data is wrong, because we have two other pieces of data that prove it is an inefficient system. All we want is for his office to look into it. As late as yesterday, he said he would, and I hope he does that.

So yes, we empower victims in this act to be able to present in front of the parole board, and we agree with and support that on this side of the House, but this bill is far from dealing with the true issues of victims.

First of all, the federal corrections system already monitors inmates' telephone calls. The province is playing catch-up to the feds in this area six years later. What's your excuse? You're in government and six years later you implement something that has already been implemented federally.

The Office for Victims of Crime, in its 2000 report, made 71 recommendations.

The Provincial Auditor's report released in the fall of 2000 said the Ministry of Correctional Services is suffering from terrible mismanagement under the Harris government. The auditor found that jails often suffer from lax security which has resulted in inmate escapes. Also, the ministry did not have sound business plans before it proceeded with the construction of two new superjails in Lindsay and Penetanguishene. Both of these projects are now over budget.

The Victim Empowerment Act establishes a framework for standards for corrections officers and that these standards will be determined by regulation. The auditor, however, noted that Ontario's corrections officers aren't getting the training they need to do their job safely. Due to the suspension of the advanced correctional study training requirements during the last four years, over 80% of correctional officers had not received the training required to keep their skills up to date. The recently released estimates for 2001-02 show that the government is actually cutting spending on training for corrections staff this year. So you give on the one hand and you take with the other.

The Harris government is proceeding with its plan to privatize the new superjail in Penetanguishene. In the US, privatized prisons have led to inmate escapes and violence against inmates and employees, but have not saved money. Escape rates in private prisons are 32% higher than in public facilities. According to a 1999 Florida case study—this is an American study—the government has been failing correctional officers by not sufficiently dealing with inmates who assault employees.

How is this legislation going to assist that issue? In July 2000, an inmate at Elgin-Middlesex Detention Centre was given only one additional day in jail for assaulting an officer. Furthermore, private prisons pose a serious threat to employees. Assaults on correctional officers are 50% more common in private prisons than in public facilities, according to the National Council on Crime and Delinquency in the US.

Again, lots of tough talk on law and order, a few good things. Being able to testify in front of the parole board is a good thing. We support it and we will support the bill because of that, but there are so many inconsistencies, not only within this issue but with this government. One day for an inmate at Elgin-Middlesex for assaulting an officer. And yet—you many not see the connection the way I see it, and that's fine—welfare recipients have to pass a literacy test, otherwise they're cut off their welfare cheques. I tested for a living before I was elected, before that moment of madness when I was elected.

Mr Kormos: Why is it this government wants to test urine, but it doesn't want to test water?

Mrs Bountrogianni: Thank you, member. One day to an inmate for assaulting an officer, yet welfare recipients, the poorest of the poor in our society, have to pass a literacy test to get their welfare cheques.

I hope that you consider a number of things when you implement this draconian measure. (1) literacy itself—this may come as a surprise to you, but there is a correlation between lack of literacy and poverty. Don't be surprised at the failure rate. (2) there is test anxiety among many people when put under pressure and this inconsistency—because I can't say the word I really want to say—is bothersome.

Mr Tony Ruprecht (Davenport): Oh, go ahead.

Mrs Bountrogianni: Thank you, member for Davenport, but I can't. I don't want to get kicked out by the wonderful Speaker from my hometown of Hamilton.

We will support this bill, but it goes nowhere near where we need to go for victims. As my colleague from St Paul's said, we do need to fund legal expenses for victims.

Another good example is the Dudley George family. Regardless of what you believe across the way—you know where we stand on this—the fact that the George family is being torn apart financially because they want justice seen in the memory of their late brother and son goes against the rhetoric that is behind Bill 60.

Walkerton is another example. Yes, there was a lot of financial compensation, but those victims have been victimized beyond finances and beyond health. There is such a lack of trust, not only in Walkerton but in many of the rural areas. Finally, after six years, yesterday they brought in some very initial agricultural measures to address this tragedy that occurred in Walkerton. Again, "Let's actually name a bill the Victim Empowerment Act but let's cut costs, cut inspectors, cut training for correctional officers, cut all sorts of services," which then leads to victimization. Be consistent over there.

The domestic violence bill is another example. Some 75% of women don't ever go to the police or the courts, unfortunately. The domestic violence bill will address only 25% of the women having to suffer domestic violence. Finally, after cutting for six years, in the last budget you put some of the money back. After we had protests, after we had numerous questions in the House from both sides of the opposition, you finally put some of the money back. People were happy and grateful, but I'll tell you, I'm still getting, as women's issues critic, e-mails from the women's groups saying, "We're still waiting." But they don't want to make noise, no, because they're afraid. They're afraid if they make noise maybe that promise in the budget will be taken away. And this goes for hospitals and this goes for universities.

Then, this week as well, I'm thinking again, as a parent, I might as well prepare for another strike in the fall in Hamilton—and you may have to too, Mr Speaker; I know your daughter goes to one of the systems in Hamilton—with this new measure of multi-year agreements for teachers but only year-to-year, if that, budget knowledge. My kids were out of school for three and a half weeks. They are victims as far as I'm concerned. The parents are victims.

Now, members opposite, I happen to be resourceful and fortunate that way, but there were many kids who were at home alone during the strike, and I know that if you pass this ridiculous anti-labour bill, you will get the same in the fall. I'm warning you. You asked for suggestions. If you want to avoid victimization, pull that, or at least give multi-year funding so the boards know what they're dealing with.

To summarize, before I hand it over to my colleague from St Catharines, we support this bill. We do support the right to appear and make a presentation to the parole board while the offender is present. But this falls far short of the 200 pages and 71 recommendations from A Voice for Victims. It's a start. It's inconsistent with a lot of the

other measures this government has taken over the last six years which have caused more victims than they have helped. But we will support Bill 60.

1720

Mr James J. Bradley (St Catharines): I have an opportunity to address a few comments to this particular piece of legislation and to the government thrust in general. This is a government that has made almost a—I don't know what you could call it—

Hon Mr Sampson: A correct move.

Mr Bradley: No, "correct move" would not be what I would want to use. They've made a hobby out of crime legislation and being against crime. It reminds me of some of the people south of the border who fight every battle on the crime issue. Even when crime goes down, they still talk about crime going up. Nevertheless, this piece of legislation, in my view, has some supportable elements in it. I like to be able to say that. When I come into the House, I like to be able to say from time to time that I support some of the legislation the government brings forward, or at least parts of that legislation.

Now, we know it'll be very important that everybody's groomed properly in those prisons. My gosh, if they've got long hair or if they stink or something like that, it'd be awful to have that happen. So you'd better get their hair cut so they look like they do in some of the US prisons and so on. I guess that's a very high priority. But be that as it may, you've included that in the legislation because people who are incarcerated are people who have forfeited many of the rights that they would have otherwise in society. It doesn't mean they've forfeited all rights, but they've certainly forfeited some of those rights. In terms of their assaults on correctional officers and of one another, that would not be acceptable. Anything this legislation can do to reduce that would be very helpful.

But there are some other issues that have been taken that I am concerned about. I should put this on the table first of all. I would be considered certainly no bleeding heart when it comes to crime issues. If you watch my voting record in this House in private members' hour, for instance, you'll find that I tend—

Hon Mr Klees: Attila.

Mr Bradley: The comment comes out "Attila." I hope that Hansard didn't pick that up, but it will, now that I've responded to it. I could not characterize myself as ever being overly sympathetic to those who commit crimes, but I think there are ways of dealing with crimes and rehabilitation that can help our society significantly. My focus of attention would be, as this bill's focus of attention is, on victims of crime, first of all. But I also have to look at some other steps I think the government has taken which I don't think are particularly wise.

I remember when there was a major effort, I think when Mr Runciman at the time announced the government was going to close halfway houses. I remember Frank Sheehan, who was a member here, had done a lot for the John Howard Society in our area and, indeed, was involved with the halfway houses. I thought it was very

unfortunate that the halfway houses were closed, and I'll tell you why that was.

There is a choice out there. You know that some of these people, when they've completed their sentence—overwhelmingly most of these people—are coming out. Would you rather have them come out and move immediately next door to you or would you rather have them three months in a halfway house, where they're going to get counselling, where there's strict supervision, where they're going to be assisted in terms of upgrading their skills and where perhaps they're going to get a job; in other words, they're going to be integrated back into society? Or do you want them to open the door of the jail and have them move next door to you?

I think the halfway houses had a role to play in doing that. Whether you're sympathetic or not with the person who has been incarcerated, the fact is that society is going to have that person back among society, and therefore it is better, I think, to have those people better equipped to integrate back into society, rather than more likely to recur in terms of once again committing yet another crime.

Second was looking at the issue of parole. Again, a lot of people, I think, misunderstand parole. There's some people who obviously should be put away and never let out ever again. There are others who, we may believe, have received a sentence that is significantly too short.

What we have to know about parole is that parole means a person coming out is under supervision. Again, there's the choice where if you've served a 10-year sentence, a full sentence, you come out and the next day you're on the street, or would you rather have the person serve most of that sentence and have a portion of it served as parole; that is, under supervision, integrating back into society? I think it's important, to protect our citizens out there particularly, that people have that period of supervision before they come back into the society from which they came.

I know the federal government has made some of these moves. I think it is good that we have victims have a say in the parole hearing, because there are some victims who are going to be extremely traumatized by the fact that a particular individual who has committed a heinous crime is going to be back among our society, particularly a potential threat to them. So I think that part is supportable.

When I think of victims of crime, I think of some of the lengthy speeches that my colleague from Niagara Centre has made with a good deal of accuracy and with experience in the courts through his experience as a courtroom lawyer, and his observations, as I have had, of some of the cases in our area where there were victims of crime who were certainly not well served by the policies, pronouncements and legislation of this government. I'm sure that when he gets an opportunity to speak further on this bill further along, he will share that with us. I think of the Vanscoy case as one example that he has drawn to the attention of the House on many occasions. We certainly share a view that there was a family who in

essence were victims and were not very well served by the Ontario government in this case. That was certainly alluded to in a judge's decision and an observation of a judge.

The John Howard Society plays a significant role out there. I want to commend people. It is not an easy thing to do, to work with convicts, people who have come out of prison. I might say a lot of my friends who are Conservatives in St Catharines and the surrounding area belong to the John Howard Society. The president of my association does as well, but he tells me that most of his friends in there are Tories. I want to commend those people who are involved with the John Howard Society, because their job again is to integrate people back into the communities in which they live so there's much less risk of their reoffending. That's what we don't want to see happening.

We also have to look at rehabilitation as one of the goals of our society and our corrections system. We want to actually correct people. There are some people, I'm convinced, who can't be rehabilitated and simply have to be confined to jail forever. There are some who have been given many chances to be rehabilitated and haven't been. I'm not sympathetic with those individuals.

But I noted when I was correctional services critic—when I started out, I started out in the very back row. They always give you the job of correctional services critic. That's how you start out. It was 1977. In fact, Norm Sterling and I came in at the same time, in June of 1977, some 24 years ago. There was a group of us, including Ed Ziemba, who would make Peter Kormos look like a Conservative. I remember him in the House, my friend Ed Ziemba from the west end of Toronto.

Mr Ruprecht: High Park-Parkdale.

Mr Bradley: High Park-Parkdale, he was from. He was one of the people—and on the other end of the spectrum was the Honourable Gord Walker, who was the minister of corrections then. Gord Walker was alluded to in the House the other day by Sean Conway as being a man before his time. In other words, his views many years ago in this Legislature have come to fruition through the election of the Harris government. So Gord was before his time, but he was corrections minister.

One of the things I noted when I went into the prison system was how many people were functionally illiterate, people who didn't have an education and were not equipped to do well in our society and were likely to reoffend. If the Minister of Correctional Services can find a way—and it is not popular sometimes; I know that—to have those people become literate and to help those people in terms of their education, that certainly helps in getting them back into our society so there's less of a chance of reoffending—not a complete guarantee, but less of a chance.

I come from a city where there have been some high-profile cases. Obviously, Kristen French is the best example. I know Donna and Doug French very well. I've watched the anguish they've gone through over the years, as the members from the Hamilton and Burlington area

have of the parents of Leslie Mahaffy. Both of these individuals were killed in a case where people were convicted and are now in prison. They have been traumatized.

1730

I'll tell you, one of the best speeches I saw—because it went through for over an hour, what she had gone through—was Donna French speaking to police officers on what the court system was like. And people never know until they get there, until they're facing it, until they have been the victims or somebody in their family has been a victim, just how bad it is.

That's why I always believe that anything that can enhance the rights of victims is very helpful, particularly when that awful court case is going on. I remember the morbid tapes which were being shown in court of the victimization of Leslie Mahaffy and of Kristen French, how awful the parents felt about that. They could not stand to stay in there, quite obviously, to see this happen. They have tried, they've made efforts to not have those shown in court again except, they understand, to court officers who are dealing directly with it. But they don't believe the public and the news media have to see or even hear those tapes. The jury, if there were a jury recalled, the judge and court officials might have to, and that's an awful sacrifice. But they have asked for that, and that's certainly understandable.

We have the situation, and the Attorney General made reference to it the other day, of people making movies or writing books and making money from crimes. I remember writing a letter to the person who is going to make a movie about Paul Bernardo which would, in my view, glorify—no matter how you treat it, it's going to glorify Paul Bernardo. The member for Niagara Centre made representations in the House to the Attorney General and certainly spoke to the news media about that and how it might well be prevented from happening, because that revictimizes people. Imagine if you're a parent and you have to see a movie about Paul Bernardo. If you're the parents of one of the victims, whether the victim is in Scarborough—there were victims of the Scarborough rapist, and that was Paul Bernardo—or whether you're people in St Catharines or Burlington, why would you want to be put through the torture of that? I don't necessarily like movies of this kind, but it's different when it's totally fictional out there and it's a circumstance that somebody dreams up. But when it's based on an actual killing and actual victimization of people, I think you revictimize them when you show that movie.

I do remember, however—and again, I'm not going to dwell on this—I used to hold up in the House, when the members would get antsy on the other side and start pointing fingers, a headline from the Toronto Sun that said, "Tories Confirm Deal with the Devil." In other words, this government had a chance to overturn the deal with—I don't have it in my desk now. I was looking for it the other day when something was happening, but I had that. I remember, because the Attorney General of the

day was in a difficult circumstance, faced with somewhat of a dilemma. He could have undone the deal with Karla Homolka, and for legal reasons indicated he was not going to. Now, if you wanted to be exploitive of that on the other side of the House, you could ask questions daily and wave it. I simply save it. I simply hold up the headline only when I hear people pointing fingers at the other side of the House or talking with a great deal of bravado about being tough on crime. I think it's worth reminding them of that.

When you're dealing with any of this legislation, the question is, are you prepared to invest the dollars that are required to ensure that you can carry out the provisions of this legislation? I look at the zero tolerance policy for violence against corrections staff. I think that's a great idea. I don't think anybody should be subjected to that, because often there's not that criminal charge that is placed against an inmate. You have to be able to protect the correctional officers. They're on the front line all the time. I've met with correctional officers. I've toured in my own area the Niagara Detention Centre, which I believe should be kept open as an option for people in this area. I hope you don't close that. I hope you change your mind, if indeed that's the direction in which the new minister is heading.

So I look at this and I say as well, why are people in jail? Some people may have a mental affliction. Some people will say there's just a bad seed out there and they are always going to be there. Other people face certain environments where it's conducive to developing a criminal. Anything we can do in this House through our policies to try to steer people in the right direction—I must say many police officers are involved in this, with helping kids with sports or other positive activities. Anything we can do there to steer people in a different direction than that of crime is important, because there are always victims.

I know a number of victims of crime. They are personal friends of mine. They have told me about the circumstances they face, so any time we can take meaningful action to protect their rights, that is very, very helpful.

I agree that the government should be able to establish regulations prescribing standards of professional ethics for correctional officers in both public and private facilities. I should say to you that I don't agree with private facilities, but I agree with that and I think it should be done in consultation with those correctional officers, because they can be most helpful in that consultation.

The grooming and appearance standards? Well, I don't know whether we have any grooming and appearance standards in this Legislature. Certainly we don't have any clothing standards in here, what we have to wear. I see members from time to time on all sides of the House, particularly when the air conditioning isn't working very well, like today, who don't necessarily follow that.

It's my intention to be supportive of this legislation. I wish you had a piece of legislation before the House—and the Speaker is not hearing this, because it's just a

little divergence; it's an "I wish." I wish you had legislation before the House this afternoon that would rein in Ralph Klein and his desire to sell every last drop of gas and oil into the United States and leave Canada without gas and oil. Last I heard, they weren't making gas and oil underground any more. It may be there, but they're not making any new gas and oil. Ontario has a vested interest in that, and I hope the Minister of Energy will indicate that vested interest. I remember Bill Davis used to clearly do that, and he managed to persuade the federal government of the day to institute what was called the national energy program, something that I know our western people do not like. I happen to think it was a good policy and I hope they continue it. But that has nothing to do with the bill, and I appreciate your tolerance of my wandering a bit. It's just one piece of legislation I thought I would like to see.

I want to turn over to my colleague from York South-Weston some time, and of course eventually to my colleague from Davenport.

Mr Cordiano: I too am delighted to speak on this bill.

The single most important aspect of this legislation, which we obviously support, is the fact that victims will have the right to make an appearance before a parole board in front of their offenders. That is the crux of this bill, and certainly we support that.

Of all the other provisions of this bill, the other important item is with respect to a zero tolerance policy for violence against corrections staff. Of course we support that, and that's a good thing.

With respect to monitoring inmates' telephone calls, again you're playing catch-up to Ottawa, and that's a good thing. It's about time.

Grooming and the like: as far as I'm concerned, we'll just call that cosmetic—

Mr Bradley: Sounds good, though.

Mr Cordiano: It sounds good, yes, for the public out there, but it is certainly a cosmetic item.

I think the other matter, with regard to establishing regulations prescribing standards of professional ethics for corrections officers, is again a good thing.

However, the Office for Victims of Crime, in their June 2000 report, made 71 recommendations to improve victims' services in Ontario.

Mr Bradley: How many were implemented?

Mr Cordiano: Only one: the fact that victims can appear before a parole board.

The recommendation calling for provincial standards was not implemented by this government, and that is a real shortcoming, because victims of crime across this province ought to have the same rights and be treated in the same fashion as any other victims across the province would be. This has not been implemented by this legislation and it's really a shortcoming.

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Let's just talk about budgetary allocations. Victims' assistance accounts for less than 3% of the operating budget of the office of the Attorney General of Ontario. In 1999-2000, the Attorney General spent about half the

allocation of the previous year on victims of abuse. My colleague the member for St Catharines alluded to, "Are you willing to spend the money to give victims of crime real recompense, to make things better for victims of crime?" It requires additional resources, and this government has not been willing to do that.

Victims have received very inadequate services. In the June 2000 report, again, 59% of victims were not notified about bail hearings in their case; 66% of victims had no input in plea negotiations in their case; 49% of victims were not advised of the probation or parole conditions imposed on the perpetrator; 77% of victims incurred out-of-pocket expenses associated with their case; 61% of victims received no emotional, psychological, physical or practical assistance; 36% of victims received no information about available support services; and 53% of victims received no assistance in preparing a victim's impact statement.

These are real shortcomings on the part of the government. If you really want to lend some muscle to making things better for victims of crime, then you have to address these pressing concerns.

I would say that in other jurisdictions they've gone quite a bit further in addressing victims' rights. Alberta, Quebec, Nova Scotia, Manitoba and British Columbia have victims' rights statutes which, unlike our own Ontario bill of rights, impose obligations on the state to provide victims with information concerning the progress of their case. Our bill of rights for victims of crime here in Ontario does not do that.

British Columbia, Nova Scotia and Quebec have victims' rights statutes which, unlike Ontario's bill of rights, create the mandatory right for the victim to be treated with courtesy and respect. So there are statutes in effect.

According to the National Centre for Victims of Crime, every US state has enacted legal rights for crime victims. Some 32 US states have entrenched victims' rights in their state constitutions.

This is what we're up against with respect to other jurisdictions and how far they've gone to ensure that victims of crime have been treated properly and have been given support by the Legislatures of their respective jurisdictions.

Before it pats itself on the back for a job well done, I think this government has to look at how short of the mark they have gone. They have a great deal of work to do in order to ensure that victims of crime have been treated with respect, with interest, and have been provided with the resources, additionally, that this government has failed to provide for them. I suggest to the government that there are a number of areas, as I've pointed out, where service is inadequate, where the dollars have not flowed to assist victims of crime with some of these very difficult circumstances.

This government wants to make this an issue that it waves the flag on, wraps itself around the flag and says, "We are a government that is prepared to go all the way with respect to victims of crime. Look how tough we are

on crime. Look at all the things we are doing to fight crime." Well, the evidence is just not there to support that view, and in fact the dollars are not there. I think this is where the government has missed the mark time and again.

The Provincial Auditor's report released in the year 2000 said that the ministry of corrections is being mismanaged. It found that there is lax security at our correctional institutions and as a result inmates have often escaped. That would not suggest to anybody in the public out there that this government is running our correctional institutions with a high standard. The two superjails which are being built, one in Penetanguishene and one in Lindsay, both of these projects are now over budget. So I'd say to the government, you are mismanaging the very dear resources that we need to put into this area.

Again, to quote the auditor, his concern with corrections officers not getting enough training to be able to do their job safely, I would say to the government that we're squandering resources in the area of corrections if this is happening. It's great to have a zero tolerance policy with respect to assaults on corrections officers—that's in this bill and I applaud that, as I said earlier—but what about job safety when it comes to proper training and upgrading the skill levels of correctional officers? That's not being done.

As others have pointed out, in the US privatized prisons have led to greater inmate escapes. As well, in privatized prisons assaults on correctional officers are 50% higher than in public institutions. So privatizing these jails is not a panacea. It is fraught with all kinds of problems.

Going back to the main point with regard to this bill, we believe that the government has a way to go with respect to ensuring that victims of crime are satisfied that there is restitution, that there are additional resources required to be put in this area and that the government must not overlook this and pat itself on the back for a job well done, because you have a long way to go toward satisfying victims of crime.

Mr Ruprecht: I've been listening very attentively to this debate and I'm delighted to say a few words about this Victims' Bill of Rights.

I just found of great interest what the minister said, the member for Mississauga Centre. He gets up—and of course he's the minister and he's got the responsibility for this bill; we know that—and he says, "The opposition is pushing us, either we're going too fast or we're going too slow," the point being that he's implying we're too critical. It doesn't take much courage to say that, but it would take much courage to stand up and say, "I want to make an announcement in this Legislature, and the announcement is the following: that this bill, yes, it's a good start"—and of course I'm going to support this bill—"but at the same time let me tell you where we need to make improvements or let me tell you how much further we have to go." No, that's never here. It just seems always that the Conservatives are saying, "We've

got the perfect solution and here it is: take it or leave it." Sometimes they say, "We'll shove it down your throat. It doesn't matter what you say. It doesn't matter whether you make any important input and it doesn't matter whether some of your recommendations are in fact valid."

I simply say to you, it would be very courageous to say to the Legislature and to the members, "OK, we're going to have a province-wide victims' service standard but it's going to come later." Is he saying that? No. He's simply saying, "I'm sorry, we just don't have it." Give us some more details as to how you propose to proceed in this matter.

Second, it would take great courage to say that the auditor has found that the jails often suffer from lax security and that inmates have escaped. We don't even know the correct numbers. Is he standing here in this place and saying, "I'm prepared to give you the numbers of how many of these inmates have escaped"? That, Minister, would take courage, to provide these numbers.

1750

The other thing, of course, that is very hard for people in Davenport and, I would even argue, indeed very hard for people in Mr Kormos's riding to understand is why the system would permit indirectly, clandestinely, drugs to enter our institutions. When I first heard about that, I said, "Well, that is another one of these conspiracy theories that have no validity. I can stand and say, 'No, there are no drugs in our institutions.'" That's not possible. We've got the jail guards, we've got the dogs, we've got—oh, just a minute. I take that back. We used to have a dog or dogs, and they would be called drug sniffers. What happened to these drug sniffers? I'm asking the minister today, do you still have these drug dogs and these sniffers in the jails?

You know what? They had their own. The institutions had their own, and you did away with the last dog. You cut the last dog off and you said, "Dog, we don't need you any more." But if the OPP is now going to be effective in this fight against drugs—I'm sorry to tell you this, but you've got some responsibility to take. I don't want to be overly and burdensomely critical of you, but I want to say that you have been the Minister of Correctional Services for almost two years. To some degree, I'll give you some credit. You've done some good things. Yes, it's true. But you haven't got the courage to stand up and tell us what you're going to do in the future. You haven't got the courage to be critical of some of these things. You haven't got the courage to say, "There will be no drug tolerance in the jails. There will be no tolerance at all."

How do you explain, Minister, that there are drugs entering our institutions? It isn't just one institution; you know that. The newspapers are full of stories that are telling us specifically how these drugs enter. I would simply ask you very humbly, if they know more than you do, then to some degree you might have to improve in your job or you may have to improve on the institution or on hiring some people to follow this up to ensure that there are no drugs in our jails.

As you know, along with drugs come a lot of other problems, and I'll talk about that in a few more minutes. I'm simply saying to you that that's shocking news. I would say that if you knew this before, Minister, wouldn't it make sense, instead of saying, "We don't need any more dogs," that we need to hire more dogs or that we need to hire some people or some security or some guards, to look at ways that we would improve on this plan to stop these drugs entering into our institutions? Everyone today knows that there are drugs in jails, illegal drugs in jails, illegal substances in jails. Everyone knows about that. When I first found out, as I told you, I was shocked about this, but now it seems like it's almost an accepted thing that there are drugs in jail. People say, "Well, look, if the government is going to be tough on crime, if the government is talking about a new Victims' Bill of Rights, then obviously it seems to me that your number one priority may be to try to ensure that these drugs do not reach our institutions, are stopped at the front door."

I want you to stand up today, if you can—or whenever you have a second or a chance to say this—and say, "I'm the Minister of Correctional Services and I pledge to all Ontarians, I pledge to all of you, that from now on there will be no drugs in jail. These drugs will not enter my jails." Minister, I hope you're going to do that. We will support you in this. The people of Ontario will support you in this, and I know the guards in these institutions will support you in this as well. But you've got to take leadership in this regard. If you can't take leadership, and if you think this is somehow acceptable, if you think this is funny—whatever—if you think that's the way to go—and I know you probably don't think that—but if you should ever think that's not right, we will continue to criticize you on a daily basis. I'd rather try to help you.

Hon Mr Sampson: I know that.

Mr Ruprecht: Thank you. We in the opposition would rather try to help you stop this nonsense and not be critical. But I'll tell you one thing: if you are unable to stop these drugs going into jails, then we on this side are going to be after you like dogs chasing a bone. You're going to be the bone. It's better for you that you start acting in a way that is most acceptable to the people of Ontario because—do you know what?—the people of Ontario don't want drugs in jails. You're the leader. You've got to take leadership in this. I'm glad to see you agree with that point. It takes courage. I told you from the beginning that it takes courage. I think you have it, but you need to be encouraged to have some courage.

Now, let me continue to say in what way the minister needs to be encouraged a bit more. He should stand up and have the courage to simply say we know our new superjails, in Penetanguishene, as an example—there are

two superjails; the other one is in Lindsay—are beyond budget. In other words, they're more expensive. Because these jails are more expensive, we've got to cut costs somewhere else. Mr Minister, where are you going to cut? You've got the plan. The plan shows it's going to be more expensive to build these superjails; in fact, it may be much more expensive. Will you have the courage to stand up in cabinet and say, "I will resign as minister unless you give me the funds that are necessary for me to do my job"? That would take courage, and we will support him in this. We'll support him in having that courage.

It would take great courage to accept the fact that our correctional officers simply do not get the training they need. Has the minister admitted that? Has he admitted that he's cutting programs, so that our jail guards and security staff are not provided with the latest information on how to stop escapes, on how to be trained in dealing with inmates? He's cutting costs. He's cutting somewhere, and I expect him to stand up in cabinet and request more money.

It would also take courage on his part to know that escape rates in private prisons are 30%—in fact, 32%—higher than in public facilities. He knows that.

I've only got a minute left. Let me simply get to some other points I want to get on the record before my time is up.

Mandatory impact statements are very, very important. As you know, Mr Minister, many of the judges who are passing sentences do not live in the areas that are affected by drug dealing and prostitution. Most of us know what we call the hot spots in Ontario, where prostitution and drug dealing are open and you can observe them by just driving by. We all know some of these hot spots. The problem is that some of the judges—

Mr Ted Chudleigh (Halton): I don't know them. How do you know them?

Mr Ruprecht: If you don't know them, I will tell you where they are. I don't want to put that on the record, but if you don't know where they are—the papers are full of it—it simply means you're not reading the papers. It simply means you're not up to date on this. All I'm saying is that judges do not live in those hot spots or near those hot spots.

What about mandatory impact statements from a community and the right of a community to say no to these kinds of activities? That's what we'd like to see in this bill as well, and it's—

The Acting Speaker: Thank you. It now being after 1 o'clock, this House stands adjourned until 1:30 pm Monday next.

The House adjourned at 1801.

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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of Ontario**

Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**

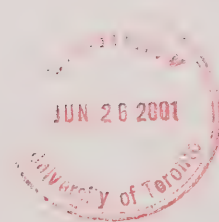
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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 18 June 2001

Lundi 18 juin 2001



**Speaker
Honourable Gary Carr**

**Président
L'honorable Gary Carr**

**Clerk
Claude L. DesRosiers**

**Greffier
Claude L. DesRosiers**

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 18 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 18 juin 2001

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

COMMUNITY CARE ACCESS CENTRES

Mr Bruce Crozier (Essex): Welcome back, Speaker. We missed you last week.

My remarks today are for the Premier and for the Minister of Health. I want to speak again about a subject that has been on the lips of many of us in this Legislature in the last week or so, and that is the community care access centres and the plight that this government has put them in.

There's a bit of smoke and mirrors going on with this in that the Premier will get up and say, "Well, we haven't reduced the budgets of the CCACs one cent." That's right, their budgets are the same as last year, but we know that many of the CCACs across this province had to run deficits in order to provide minimum service to our frail, our elderly and our sick. In fact, if those budgets are frozen this year and not considered to be increased because of the increased need, there will be a \$175-million shortfall. We can't tolerate that. People—frail, elderly—are being released earlier and earlier, sicker and sicker from hospitals, and they need this community care. The need is out there. This is not just a shoddy ploy; this is serious business. Our citizens, our frail and our elderly, need the assistance of community care access centres, and I implore the government to provide them with that funding.

AMBULANCE SERVICES

Mr Frank Mazzilli (London-Fanshawe): I rise in the House today to talk about a situation that came about in the city of London over the past weekend. The issue is a serious one and ought not to be taken lightly.

On Saturday afternoon, June 16, there were two serious accidents and numerous other medical emergencies that overwhelmed our ambulance system. Other ambulances which were in London from Strathroy, St Thomas and Lambton county doing patient transfers accommodated the need for more ambulances. The ambulance system in this region is set up to respond and dispatch vehicles from neighbouring communities for unforeseen medical emergencies that may overwhelm the

system. In this case, the emergency plan worked and it worked well, as more ambulances were dispatched from the surrounding communities.

I have been speaking to paramedics and ambulance attendants from Thames Valley Emergency Medical Services for some time, and they have suggested that the problem lies with patient transfers. The ambulances used for patient transfers cause an artificial decrease in the number of ambulances available for medical emergencies. I want to bring this situation to the members of this House so that we can focus our attention on this problem. Patient transfers are important, but they are likely a constant, and those patient transfers take away from ambulance time in dealing with real emergencies.

I urge the Minister of Health and the county of Middlesex to work out this arrangement and have new resources for the city of London for ambulance services.

SENIORS' HEALTH SERVICES

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): It seems that the Mike Harris government has very little regard for the people who built the foundation of the province. Mike Harris says seniors should "thank God" they live in Ontario. Should they thank God because they are in a province that has the dubious distinction of having nursing homes where residents receive the least nursing, bathing and general care among those areas studied from around the world? Is that what Mike Harris was talking about when he said they should thank God because they have access to the best services anywhere in the world?

The Harris government's latest threat to put a means test on the drug benefit program for seniors is now another example of the Harris government's insensitivity toward the most vulnerable in our society. Senior citizens paid into the health care system and they deserve to collect on it.

The crisis the government has created in home care is also something they should be deeply ashamed of. Essentially, they are forcing seniors out of their homes and into institutions because there isn't sufficient home care available. At the same time, they are giving their corporate friends massive tax breaks. This is a bitter pill for seniors to swallow.

In my constituency office I hear from seniors day by day about the health care system. They have watched as emergency rooms overflow and hospitals close their

doors, and now they have to sit by and watch the government threaten their drug plan.

Ontario's seniors deserve our gratitude for all they have done for us. They have fought in the wars, they have defended our freedom, they have witnessed history, and they continue to pass on their knowledge and wisdom. They almost single-handedly power the volunteer sector of our society and work tirelessly to make things better for us and those around the world. They deserve better than they are getting from this government.

AUREL BISSON

Mr Gilles Bisson (Timmins-James Bay): Mr Speaker, you know that the last week or so I haven't been here due to the passing of my father. I want to acknowledge to the members in the House how touching it was—the comments, the letters, the phone calls, the faxes, the e-mails from all members of this assembly, and people across the communities.

I didn't think I was going to do this, but you would know my dad was a bit of an institution around the Legislature. He often was here in the galleries watching the House. He loved this place probably more than most people realized. He understood what our role here is: to serve not only our parties but also our constituents and our constituencies. He sat in those bleachers, as he called them, on both sides, on the government side from 1990 to 1995 and from 1995 to lately on the opposition side, watching what we did, always with a good sense of humour.

A lot of the members of the assembly knew my dad because they would go over to talk to him from all sides of the House. It's ironic that he died in a week that he was supposed to be here. We were supposed to fly together on the Monday, but unfortunately, because of weather and fog that day, ended up having to take a commercial flight. It cleared up the next day. He went out fishing, cranked on the motor probably harder than he should have, and died of a heart attack while fishing.

I want to just acknowledge all the members of the assembly, the legislative staff, the caucus staff, people across the constituencies and across northern Ontario who called our family, came to visit, did everything they could in support. On behalf of myself, my mother, my brother and my sister, I really want to thank you for what you have done. It's been quite touching.

To dad, God, I'm going to miss you. Thanks, dad.

ALLAN LAWRENCE

Mr Doug Galt (Northumberland): I rise in the House today to recognize an outstanding individual from Cobourg, the Honourable Allan Lawrence.

On June 6, Mr Lawrence received recognition from the legal profession for his extraordinary contributions. He was one of five recipients of the law society medal given by the Law Society of Upper Canada.

Mr Lawrence has had a long legal and political career, which includes a law practice with a Toronto firm for some 15 years and recent retirement as a senior mediator and arbitrator with Arbitration Associates, a firm he founded in 1988.

Mr Lawrence has also served on many committees during his career, such as vice-chairman of the ADR committee and membership on the legal aid, research and planning, legal education and equity committees. Currently he is the vice-chairman of the paralegal task force and a member of the national WTO committee for the law society.

His political career is also extremely impressive. A member of Parliament from 1972 to 1988, he was the Solicitor General of Canada and Minister of Consumer and Corporate Affairs during the Joe Clark administration and Canadian chairman of the Canada-US Permanent Joint Board on Defence from 1984 to 1989.

With personal regards, I congratulate the Honourable Allan Lawrence for his achievements and for receiving the law society medal.

1340

GAY PRIDE WEEK

Mr George Smitherman (Toronto Centre-Rosedale): I want to rise today and remind all members that this is the official kick-off of Gay Pride Week here in the city of Toronto. Earlier today I had the opportunity to join hundreds of members of Toronto's gay community and Toronto Mayor Mel Lastman, former mayor Barbara Hall and other distinguished guests in the raising of the pride flag, the rainbow flag, which is flying over city hall as we speak.

The theme of Gay Pride Week this year is love. It is, I think, a fitting theme. A community like ours is broad and diverse and has gained many achievements in our province, and yet there is one thing that we lack, and that is the right to marry. Many gays and lesbians will be pushing for this, because it is the ultimate symbol of love between two loving adults. That's what we'll be pushing for.

But it isn't just Toronto that celebrates pride this week. All across the province of Ontario, Ontario-wide pride is occurring. In communities like Chatham and Sarnia, Ottawa, Kingston, Halton, Hamilton, London, in York region, in Sudbury and in Windsor gays and lesbians and their friends and supporters will be joining together in an embrace and celebration of cultural and sexual orientation diversity.

I invite all members who have not experienced 750,000 people coming together in the city of Toronto, with an economic impact of more than \$40 million, to join with me this Sunday at 2 o'clock in a parade, an experience that I guarantee them they will enjoy and remember forever.

VOLUNTEERS

Mr Toby Barrett (Haldimand-Norfolk-Brant):

Recently a volunteer summit was held in my riding of Haldimand-Norfolk-Brant as part of the International Year of the Volunteer. This summit was designed to recognize outstanding commitments made in our communities, as well as to attract new volunteers. I am proud to say that this summit was very well attended. In Haldimand-Norfolk-Brant we have many dedicated individuals who give so selflessly of their time and their efforts.

Today, I'd like to highlight the achievements of Ohsweken resident Glenda Porter. On April 26, Glenda was presented with one of 20 outstanding achievement awards for volunteerism in Ontario for her dedication to the Six Nations Skating Club.

Glenda helped to develop the Six Nations Skating Club in 1976. Over the past 26 years, she has been president for 14 years, she has been carnival director, treasurer, test chairman and membership director. One year, Glenda sewed close to 60 carnival costumes by herself to ensure every single skater would be wearing something unique.

Aside from all the meetings she has had to attend for the skating club, Glenda has found time to join a host of other clubs and organizations within her community.

It is people like Glenda who make our communities and the province of Ontario a richer place to live, raise a family and work. I congratulate Glenda and I commend her on her many years of hard and often unnoticed work.

HEALTH CARE FUNDING

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):

Today I would like to bring to the attention of the Minister of Health an example of the cuts to our health care system that is similar to many others across the province.

Jean Scott, an 87-year-old lady from Lancaster, previously had knee surgery. The pain has reoccurred, and she is hardly able to walk. She now requires further surgery, and her physician has referred her to a specialist.

Guess what? The specialist is unable to see her for six months. This story gets even worse. The waiting period for surgery is another 12 months. This is ridiculous. As my leader, Dalton McGuinty, has said many times, people cannot wait months or years for medical treatment when they are ill and suffering.

Since 1999 the federal government has transferred more than \$2 billion for health care in Ontario. Where is that money? People have seen serious cuts to health care services, doctor shortages, clinic closures, cancer care cuts, MRIs not available, and the list goes on. Your government must ensure that health care services are available. Minister, Mrs Scott needs this operation and she needs it now, not 18 months from now.

I ask the minister today: guarantee to the people of Ontario that you will reinstate funding to our health care

system to help people like Mrs Scott and not divert money from our health care system to pay tax credits.

ECOPARK

Mrs Tina R. Molinari (Thornhill): It is an honour to rise today to pay tribute to those dedicated to EcoPark in the city of Vaughan in my riding of Thornhill. EcoPark, which runs along the West Don River, was ignored by almost everyone nine years ago. That was when two local environmentalists, Kevin McLaughlin and Michael White, launched a bid to revitalize it.

Since then, students from seven schools planted 10,000 trees and shrubs. Nearby companies helped create a marsh. EcoPark has become one of the largest restoration projects in the entire Don watershed.

It is far more than just a trail and a few trees. It provides a car-free pass for cycling to work, it provides a nice lunching spot and it provides an area for people to just take a nice walk and enjoy nature.

At least one local environmentalist sees great things for the park. He sees it as one day being an important part of an interregional trail system. EcoPark will be a gateway to the Oak Ridges moraine, and from there to other trail systems. It will allow people to walk south from Concord to Toronto and Lake Ontario. EcoPark will be a destination itself, a place to enjoy nature, relax and birdwatch.

It is my pleasure today to acknowledge all of those dedicated to our environment and to our community who have worked to make EcoPark a reality. With vision and hard work, nothing is impossible.

VISITOR

Mrs Marie Bountrogianni (Hamilton Mountain):

On a point of order, Mr Speaker: I would like to inform the House and welcome my daughter, Joanna Tsanis, who's in the members' gallery today from grade 4, Rousseau school, Hamilton.

INTRODUCTION OF BILLS

CONRAD GREBEL UNIVERSITY
COLLEGE ACT, 2001

Mr Arnott moved first reading of the following bill:

Bill Pr18, An Act respecting Conrad Grebel University College.

Mr Ted Arnott (Waterloo-Wellington): Mr Speaker, as you well know, the standing orders preclude that ministers of the crown introduce private bills. On behalf of the member for Kitchener-Waterloo, I move that leave be given to introduce a bill entitled An Act respecting Conrad Grebel University College, and that it be now be read for the first time.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

MASTER'S COLLEGE AND SEMINARY ACT, 2001

Mr Stewart moved first reading of the following bill:
Bill Pr12, An Act respecting Master's College and Seminary (formerly Eastern Pentecostal Bible College).

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

MOTIONS

HOUSE SITTINGS

Hon Janet Ecker (Minister of Education, Government House Leader): This is a motion dealing with evening sittings. I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, June 18, Tuesday, June 19, and Wednesday, June 20, 2001, for the purpose of considering government business.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1350 to 1355.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized.

Ayes

Agostino, Dominic
Amott, Ted
Baird, John R.
Barrett, Toby
Bountrogianni, Marie
Boyer, Claudette
Bryant, Michael
Caplan, David
Clark, Brad
Cleary, John C.
Clement, Tony
Coburn, Brian
Colle, Mike
Conway, Sean G.
Crozier, Bruce
Cunningham, Dianne
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Flaherty, Jim
Galt, Doug
Gerretsen, John
Gilchrist, Steve
Hastings, John
Hoy, Pat
Hudak, Tim
Johns, Helen
Johnson, Bert
Kells, Morley
Klees, Frank
Lalonde, Jean-Marc
Levac, David
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank
McLeod, Lyn
McMeekin, Ted
Miller, Norm

Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn
Newman, Dan
Parsons, Ernie
Peters, Steve
Phillips, Gerry
Pupatello, Sandra
Sampson, Rob
Sergio, Mario
Smitherman, George
Snobelen, John
Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.
Tsubouchi, David H.
Tumbull, David
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Young, David

The Speaker: Those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Bisson, Gilles
Hampton, Howard
Kormos, Peter
Lankin, Frances
Marchese, Rosario

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 63; the nays are 5.

The Speaker: I declare the motion carried.

VISITORS

Mr Dave Levac (Brant): On a point of order, Mr Speaker: In the west gallery today we have the very original and new group from Brantford who call themselves the Breakfast Club, comprised of Al Cooper, an award-winning stylist; Mike Swanson, an international award-winning illustrator; John Szasz, an award-winning designer, developer and builder; Brian Heap, a long-time community volunteer; and Russ Faber, our retired postmaster of Brantford.

They've joined us today to watch the workings of democracy.

The Speaker (Hon Gary Carr): We welcome our guests.

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Janet Ecker (Minister of Education, Government House Leader): Mr Speaker, I'll be asking for unanimous consent for two separate motions. Just to be clear what we're talking about here, it's been worked out among the House leaders to swap private members' business this Thursday among three members here in the House. I will obviously need unanimous consent for that motion and to waive the notice for one of the members.

I'll start by seeking unanimous consent to put forward a motion regarding private members' public business.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mrs Ecker: I move, notwithstanding standing order 96(d), that the following changes be made to the ballot lists for private members' public business:

Mr Kwinter and Mr Lalonde exchange places in order of precedence, such that Mr Kwinter assumes ballot item number 51 and Mr Lalonde assumes ballot item number 28; and

Mr Lalonde and Mr Guzzo exchange places in order of precedence, such that Mr Lalonde assumes ballot item number 15 and Mr Guzzo assumes ballot item number 28.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

Hon Mrs Ecker: Mr Speaker, I seek unanimous consent to put forward a motion regarding the notice requirements of one of those bills.

The Speaker: Is there unanimous consent? Agreed.

Hon Mrs Ecker: I move, re standing order 96(g) with respect to ballot item number 28, that the usual notice be waived.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

1400

ORAL QUESTIONS

HOSPITAL FUNDING

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. Minister, first you accused hospital board members of intellectual dishonesty in trying to tell you what would happen if you continue to force cuts on hospital budgets. Then you accused them of putting forward budgets that contained everything but the kitchen sink. You weren't prepared to believe hospitals, so they went out and bought not one but two independent studies. Those studies make it absolutely clear that hospitals are underfunded by some \$700 million. Those studies also said clearly that if hospitals don't get the \$700 million, there will be more beds closed, longer waits for surgery, more ambulances waiting in driveways to deliver their patients, more people being sent home sick because there is no room for them in hospital.

In last month's budget, you cut hospital funds instead of increasing them. Now you say you're prepared to find them some more money. I ask you today, how much are you prepared to put into hospital budgets, and when will you tell hospitals what their budgets will actually be?

Hon Tony Clement (Minister of Health and Long-Term Care): The honourable member mentions a study that was commissioned by the hospital association. A simple question was asked, and that question was, "If the hospital budgets were diminished by 8.3%, what would be the impact on the hospitals?" The impacts are as the honourable member has listed. I can tell the honourable member and this House that we have absolutely no intention of decreasing hospital budgets by 8.3%. We have absolutely no intention of decreasing hospital budgets. So the premise of the report, fortunately for this province, for the patients of this province and for the hospitals of this province is incorrect.

Mrs McLeod: Minister, in last month's budget you said you were going to cut hospital budgets by \$100 million, not increase them. Now you say you're going to increase them. They need to know now what their budgets are going to be. The crisis is now.

Last week, a man came into Queensway walk-in centre—it used to be a hospital, now it's a walk-in centre; you closed it as a hospital—with a heart attack. He was initially treated there but had to be transferred to a hospital where his heart attack could be cared for. He was being transferred to a hospital, Markham-Stouffville hospital, an hour and a half away because there was not a

single bed in any Toronto hospital for that critically ill patient.

If the hospitals don't get the \$700 million they need, there will be 2,000 more acute care beds closed on top of the 8,000 beds you've already closed. There will be 73,000 fewer hospital admissions. I suggest to you we can't wait till the next inquest to get the hospital funding.

If you are planning to find more money for hospitals, you should be able to tell them now, today, what their funding will be. Will you tell hospitals immediately what the least they will get is so some of those layoffs and bed closures can be prevented?

Hon Mr Clement: I find myself in a problematic situation. You've only given me a minute to respond, and there are at least five minutes' worth of inaccuracies in the question, but I will endeavour to say this to comfort the people of Ontario who might be alarmed by the alarmist comments of the member opposite.

We have no intention of giving hospitals less money—never had; never will. Indeed, we have increased hospital funding—operating funding—by over 25% since the 1998-99 fiscal year. So this is a level of support that's unprecedented in Ontario.

The fundamental premise of the question is wrong. The predictions she has for the system are wrong. This ministry, this government, stands on the side of better patient care, more accountable patient care and better outcomes. Maybe the honourable member can be on that side as well, but she hasn't been so far.

Mrs McLeod: Perhaps the minister is now putting me into the same category that he's put hospital board members, and two independent consulting firms who did independent studies suggesting that we're all guilty of intellectual dishonesty. Perhaps he'll say it is simply inaccurate that if hospitals don't get the \$700 million, they're going to have to lay off some 6,000 nurses and that that would cost this government \$200 million in severance costs. Perhaps he thinks it's common sense to put \$200 million into severing 6,000 nurses rather than deal with the reality of hospital budgets.

Minister, instead of talking about inaccuracies, let's talk about promises made and whether they're going to be kept. Last week you made promises to hospitals. You promised them that you were going to give them some more money, and you haven't told them how much or when it's coming. You also promised them that you were going to exempt them from legislation that would require hospitals to have balanced budgets.

Minister, you are right back to the old games. You're going to force the hospitals to cut as far as they can cut, and then, at the end of the year, you'll come in and provide some money to cover the gap and say you've increased the budget.

If you're not planning to let hospitals run deficits because you're not giving them the funding they need, if that's not what you're planning, then tell us exactly what you've promised to hospitals.

Hon Mr Clement: Again I have to correct the record. The fact of the matter is, first of all, we are reviewing the

operating plans to hospitals. She knows this happens every year. We will not finish the review until we are satisfied that patient care is maximized and accountability is maximized.

Here's what one leader has said in the past on these issues. The leader has said, and this is a quote from CBC radio news: "People told him over the summer that money isn't the answer. He says they know the health care system needs to be fundamentally reformed if the problems are going to be fixed."

That leader is Dalton McGuinty. That's what Dalton McGuinty said on September 13, 2000.

I just ask the question, what has changed? On this side of the House we're for accountability, we're for better patient care and we're for better results. I thought they were on the same side. Evidently they're not.

HOME CARE

Mrs Sandra Pupatello (Windsor West): My question is for the Minister of Health. You've already created an absolute mess in dealing with our hospitals. You are getting exactly the opposite of what you say you expect out of the system, and it's due to your own mismanagement of this system. What you have caused in hospital chaos has now leapt over into the home care field, and now we have an absolute mess in home care. You have gone to the community care access centres and you've said, "You're going to be flatlined. You're not getting any more money to deal with very sick people that the hospitals are throwing into the home care system." You knew, it was predictable, that home care cases would increase because you're throwing them out of the hospitals.

I want to talk to you about those who are facing long waiting lists and reduced home care services as a result of your funding. I want to talk to you about Mr Dwyer in Cambridge, who came home last week after undergoing brain tumour surgery. He's got to wait nine months for help, and his wife, Kay, said, "We're looking after him the best we can, but we're not trained to do this."

Minister, what do you have to say to Kay and her husband?

Hon Tony Clement (Minister of Health and Long-Term Care): I would say to any citizen in Ontario that we are committed to a home care system that does prioritize the things they care about, particularly nursing care. I would say to the honourable member and to people in Ontario that we have been there for home care services. We've increased CCAC funding, home care funding, by 72%, including an extra \$64 million this year, as a result of a \$550-million multi-year commitment for increased home care services. That's what I would say to any persons who have concerns as a result of alarmist views or the opposition's interpretation of facts that something else is happening, because it isn't happening the way the honourable member describes it.

We are in fact having the reinvestments that are necessary, and that is in the home care sector as well.

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Mrs Pupatello: Finally, the community care access centres are telling exactly what is happening to the people in Ontario thanks to your funding, Minister. Don't talk to me about being alarmist. Don't suggest that we are exaggerating, because we are getting the facts from the front lines, from people who care for patients. Tell these patients who are doing without care about the wonderful job you've done in home care.

I want to talk to you about what the Premier said last week. He said, "Thank God our seniors live in Ontario." What kind of foolish statement was that to make?

I want to tell you about Mrs Muldoon. She's 88 years old, a paraplegic with a catheter. She's bedridden and suffers from severe bed sores and possible dementia. Her son has been providing around-the-clock care. He used to get 14 hours of respite care. Thanks to your cuts, that respite care is now reduced to four hours. Can you please tell the Muldoons why they should thank God they live in Ontario?

Hon Mr Clement: I think we're all proud to be living in Ontario. That's why we live here and we work here to raise our families. I would not exclude seniors from that category, as the honourable member is seeking to do.

The facts are clear. When one looks at services for seniors in home care, long-term-care services, in comparison with other provinces, we are second to none, and that's 100% provincial dollars. Not a dime, not a nickel, not a pfennig of federal money goes into these programs, and that is fact. The fact is, this is 100% provincial money. When you compare it to other provincial jurisdictions, we are the leaders of the pack in terms of investing for our seniors' safety and comfort in the future. That is something of which, on this side of the House, we are quite proud.

Mrs Pupatello: If you're so busy investing—you just come up and make up any number at all and say, "That's what we're giving to home care." You just make up anything at all and think we're going to believe you.

Minister, the reality is that these individuals in their homes are getting less service today than they used to, and some of these seniors need this money to stay in their homes. That was the whole point of home care in the first place. Home care is about prevention and it's about staying in their own homes. You take away the people's in-home supports, and guess where they're going to end up. They're going to end up back in hospital. As my colleague mentioned, you're cutting the hospital budgets, so what are these people to do? They're not getting the service they need at home. They go back to the hospital. You're cutting the money to hospitals. Where do you think the people are going to go?

Minister, you have a responsibility. Don't talk about these macro numbers. You have got to get back and manage this system. These individuals requiring home care need service to stay in their homes, and under your government, under your watch, these services are being cut.

Hon Mr Clement: The honourable member is sinking very close to the person who said, "Don't confuse the issue with facts."

If the honourable member doesn't like the facts and figures, I can talk about local cases. Here are two local cases. Let's take Oxford, for example, where in the Oxford Sentinel Review the chair of the CCAC said, "At this point there is no concern about decreasing services," given the budget numbers they have to work with this year. But I don't leave it at that. Here's another case: in York region—I don't know why that region particularly came to mind, but it did—here's a comment from The Liberal, which is a publication in York region. The Liberal says, "Since 1994, funding in York has risen 193%.... It's time for the centres to examine the efficiency of their operations." I finally found a Liberal I can agree with.

EDUCATION FUNDING

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Education and it concerns her tax credit for private schools. Minister, New Democrats want to know why you are going to use public money to fund discrimination.

In a survey of Ontario private schools conducted over the last two weeks, 60 private schools across Ontario were asked, "What percentage of your students are disabled?" The answer is shocking: 76% do not have one disabled student. Minister, how can you use public money to fund such a pattern of discrimination?

Hon Janet Ecker (Minister of Education, Government House Leader): We are not using public money to discriminate in any way, shape or form in any sector. As the honourable member knows, that would be against the law.

Mr Hampton: As the minister knows, private schools are exempt from the Ontario Human Rights Code. We settled that with the Premier a few weeks ago.

What is more disturbing, when you ask these private schools, is that 71% do not have any kind of human rights code of their own. They do not prohibit discrimination on the basis of sex, race, religion, disability, ethnicity or sexual orientation. Your tax credit is about using public money to fund that kind of systemic behaviour.

Tell us again, Minister: justify using public money to fund that kind of discrimination.

Hon Mrs Ecker: The honourable member can keep repeating it if he wants to, as long as he wants to. That doesn't make it true.

Quite frankly, for him to stand in this place and accuse independent schools—for example, from the Jewish community, from the Muslim community, from the Christian community—that somehow or other they are bastions of intolerance and racial hatred, I find quite offensive, and I think most Ontarians would agree with me.

Mr Hampton: Minister, in case you missed it, what Ontario citizens agree with is a Human Rights Code that says you cannot, as an institution, choose on the basis of ability or disability, on the basis of ethnicity, on the basis of age or sex or any of those things. You know that under the Human Rights Code and under your government's policy with respect to your tax credit, you're going to allow all those things to happen. You know there are no standards being brought down by your government. You know they're exempted from the Human Rights Code, and you know that many of these schools do not have their own human rights code.

So I ask you again, Minister: justify taking money out of the public education system and putting it into a private system that clearly discriminates. How do you justify that?

Hon Mrs Ecker: We are not in the habit of justifying things that are not true.

HEALTH CARE FUNDING

Mr Howard Hampton (Kenora-Rainy River): My next question is to the Minister of Health, but I would say to the Minister of Education, read your own Human Rights Code.

The Speaker (Hon Gary Carr): You can't say anything to the Minister of Education. It's to the Minister of Health. You need to go to the Minister of Health for the next question, please.

Mr Hampton: Well, Speaker, I can use my time any way I wish, I think.

The Speaker: You said to whom you were asking the question, and you can ask the question. That person has to be the one who answers the question.

You may proceed, and your time has started, so you've got less than a minute now.

Mr Hampton: Minister, you have received over four reports in the last six months from KPMG, from Deloitte and Touche, and from PricewaterhouseCoopers that tell you that you are underfunding the health care system from one end to the other, whether it's long-term care, community care or hospitals.

I note that these companies, like PricewaterhouseCoopers and KPMG, are some of your favourite companies when they happen to agree with you. Now that they are issuing reports that say you are underfunding the system, can you tell us why you're not so quick to agree with them, when you are so quick to agree with them all the other times?

Hon Tony Clement (Minister of Health and Long-Term Care): Some of my best friends are accountants. I can say to the honourable member that I do agree with the conclusion. The problem is a difference of premise when it comes to the KPMG report. I said in this House, and I'll say again, that if this government were planning or were implementing an 8.3% decrease in hospital funding, I suppose all the terrible things KPMG mentioned as a logical result of that would come to pass. But fortunately for everyone who is involved in the provision

of quality health services to the people of Ontario, that is not occurring. There is no 8.3% decline in funding. Indeed, funding has gone up year after year as long as Mike Harris has been Premier. Funding has gone up year after year; indeed, over 25% since 1998. That is the most accurate thing I can say about that.

In terms of the PWC report, I can tell the honourable member that, again, the report was commissioned by us, and it recognized some managerial problems that had to be solved with the CCACs. We agree with the report on that as well.

Mr Hampton: Minister, all I can say is that when these companies happen to agree with your government, you're so quick to cite their studies. KPMG has said to you that because of your underfunding of the hospital sector, you're looking at 6,000 lost jobs, 73,000 fewer admissions to hospital, 2,200 fewer hospital beds and 900,000 fewer outpatient visits.

In terms of the CCACs, the PricewaterhouseCoopers study and other studies point out to you that if you were to take their advice, you can actually in the longer term save some money for the health care system. That is what they are really telling you, that your direction of underfunding CCACs this year, forcing more patients into hospitals, into long-term-care facilities, into emergency rooms is going to cost you more money, which then creates the need in the hospitals. Four studies. Your government otherwise is only too happy to agree with these companies. What's wrong with them now? Why don't you follow their advice now, Minister?

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Hon Mr Clement: Again, let's make sure we all agree on what we're talking about here. The KPMG report said that without adequate funding—and their definition of “without adequate funding” was an 8.3% decline in funding levels. Then you would get fewer patient services, up to 73,000 in patient admissions, 2,200 fewer staff beds etc. Fortunately, despite the Cassandras on the other side, that isn't happening. When it comes to the PWC report, it's very clear that there are managerial issues that have to be solved; there are standards issues that have to be solved with our CCACs. If those issues are solved, we can be assured that more money goes to the front lines, goes to the nurses, goes to the home care providers that are contracted for by our CCACs to help our seniors, help our elderly, help those who are handicapped and reliant upon the system. We agree with that report.

WALKERTON TRAGEDY

Mr James J. Bradley (St Catharines): I have a question for the Deputy Premier. We heard the news late last week that the RCMP conducted—some people would call it a raid—let's call it a sweep, of the Premier's office to try to obtain, apparently, evidence and documents that are being hidden by the government, because why else would they be there?

On at least two occasions the RCMP have been forced to go into the Premier's office to look for documents and

evidence that apparently were not forthcoming, despite the assurance in this House of the Premier that he would be fully co-operative with the inquiry and with the commission. Can the Deputy Premier tell us today why it is that the RCMP would then have to sweep into the Premier's office to obtain documents and evidence, if indeed the Premier had said that all evidence was available to anyone in the commission who wanted it?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): I thank the member opposite for the question. In response, in fact the Office of the Premier has co-operated fully with the commission, with the O'Connor inquiry looking into the events in Walkerton. All of us want to get to the bottom of what happened in Walkerton. That indeed is why the government appointed Mr Justice O'Connor to conduct the inquiry.

There has been no forced transfer of documents. There has been no situation in which documents have not been forthcoming. In fact, every deadline for document production has been met, every deadline set by the commission has been met by the Premier's office, even extremely tight deadlines have been met by the Premier's office, and thousands and thousands of documents have been provided. As the Premier said initially when Mr Justice O'Connor was appointed, we will co-operate fully with the inquiry, which is exactly what the government has been doing.

Mr Bradley: The Deputy Premier can look as solemn and serious as he wants about this and look into the camera and tell everyone that somehow everything has been produced. We get back to the question, however. If there was so much co-operation with the commission, if all the documentation was provided, I have to ask the Deputy Premier why it is, then, the RCMP on at least two occasions would have to conduct a raid on the Premier's office to be able to obtain that information.

Everybody recognizes that all the major decisions in this government are made in the Premier's office. We recognize that a lot of documents have been filtered through the Premier's office, documents that start out one way and end up another way when they appear before the policy and priorities board of cabinet. So I go back to the Deputy Premier to ask him, if all those documents were voluntarily provided to the commission, why would they on two occasions have to have the RCMP come in to investigate?

Hon Mr Flaherty: I appreciate the fact that the member opposite feels my assurances are insufficient, so perhaps the assurances of the counsel to the commission will be sufficient for the member opposite.

Paul Cavalluzzo, as reported in the Toronto Star last week, said, “The Premier's staff co-operated fully with the RCMP's Wednesday search.

“The purpose of the visit was that we have an RCMP member who is an expert in computers who we had do imaging from computers in the Premier's office,” Cavalluzzo said. ‘It should be noted that this visit was done with the full co-operation of the Premier's office. It wasn't a raid in any sense.

"It's just that in the natural course of the inquiry, that's how we obtain documents."

All documents requested have been produced. The visit was at the request of the commission and was a matter of full co-operation by the Premier's office. It's important that we get to the bottom of what happened at Walkerton, and I'm sure the honourable member opposite agrees.

AMBULANCE SERVICES

Mr Frank Mazzilli (London-Fanshawe): My question is to the Minister of Health. This past weekend, we had a serious situation in London: a couple of serious motor vehicle accidents. One scene consumed five ambulances, and certainly my hopes are that those people are OK. The emergency plan in London did work well; surrounding communities' ambulances responded to take on some of the other emergency calls.

Just a few months ago I had to call for an ambulance myself when my son fell and cut himself and started bleeding profusely. I can tell all members of this Legislature, no matter what kind of training you've had, and I've had some, when it's your own child you do not do well under those circumstances.

The people in London want, certainly need, more ambulance service, and this has been an issue that's been going on now for some time: the 50-50 funding arrangement. Will the province of Ontario commit more funds for Middlesex county for ambulance services?

Hon Tony Clement (Minister of Health and Long-Term Care): I thank the honourable member for London-Fanshawe for his question and for describing some of the personal ways in which ambulance services can be of assistance to citizens.

In the year-end 2000-01, the government of Ontario provided approximately \$410 million for emergency health services, and about 75% of that was allocated to the provision of land ambulance services. In Middlesex county they did submit a request for 50% funding, which is the norm, and that request for provincial funding was approved as is. As part of that 50%, we provided 50% funding for two additional ambulances for Middlesex, one of which went into service in December of last year and the other in January of this year.

Certainly, the provision of excellent ambulance services in Middlesex is on our minds.

Mr Mazzilli: I've been speaking to paramedics and so on about these two extra ambulances, and I'm not sure where the problem is, whether the county is not committed, but certainly we need these two ambulances on the road.

I will be following up on this issue, because I believe one of the big problems here is patient transfer. Although we have a complement of eight ambulances, when you look at it, two or three ambulances are, on a constant basis, conducting patient transfers from other areas or to other areas. In the case of Saturday, we actually benefited from patient transfers because two ambulances were in

town from other jurisdictions and helped with emergency calls.

Minister, I will be following this up with your office, and I certainly believe that London needs more than the current eight ambulances that we have on the road.

Hon Mr Clement: Again, I thank the honourable member for putting his perspective on the table, and clearly there is work afoot that he is leading in his community to see what impediments are in the way that can be removed, and I commend him for that. A lot of the municipalities, now that they are seized of this issue with the land ambulance transfer, are looking at new and innovative ways to reduce some of the pressure. In Toronto, in London and in Peel region, my own region, there are a number of medical transportation initiatives looking at ways to transport patients in non-emergency situations in different and creative ways.

I want the honourable member to know and this House to know that this ministry and myself have publicly indicated our willingness to discuss these issues with the municipalities to come to mutually agreeable solutions that work for people in Ontario.

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HAZARDOUS WASTE

Ms Caroline Di Cocco (Sarnia-Lambton): My question is for the Minister of the Environment. Safety-Kleen, Minister, is the largest toxic hazardous landfill and incinerator in Canada and it's located in St Clair township in my riding. Do you know, 70% of that waste comes from outside Ontario.

You and I understand that it's within provincial jurisdiction to refuse or accept toxic hazardous waste being dumped in this province. There was one leak on the site in 1999, and now it's come to my attention that there is yet another leak. I am asking you, Minister, if because of the landfill toxic hazardous waste—we've been called the garbage can for toxic waste. I'd like to know if you will make rules, Minister, or legislation for toxic landfills as tough as those in the United States.

Hon Elizabeth Witmer (Minister of the Environment): I am truly pleased to have the opportunity to respond to the member opposite, because it appears the member opposite is not aware of the amendments that this province undertook on March 31 of this year to strengthen our hazardous waste framework.

I am pleased to say that we now have the toughest standards and framework in Ontario's history. At that time we introduced stringent new testing requirements and we expanded the list of known toxic chemicals from 31 to 88 chemicals. I'm very pleased to say that we are well ahead of the 40 that are identified in the United States regulation. We also brought "derived from" standards in line with the US EPA. Again, we have moved forward to very, very much ensure that the hazardous waste policy in this province is as strong as it should be.

Ms Di Cocco: Minister, "as strong as it should be" is not as strong as that of the United States or stronger. You

understand—I know you do—the danger to public health by the increase in the dumping of hazardous waste.

We have an incinerator there as well, and the future environmental impact of that incinerator and the increased use of that incinerator. I have written and have requested that we make sure we have a full public environmental assessment before we increase the incinerator. You have responded that there doesn't need to be a full public environmental assessment on the incinerator. Therefore, you are telling me that it's the greatest in Ontario's history, but compared to the United States, it isn't, and the incinerator doesn't need a full environmental assessment. Minister, are you going to accept responsibility for groundwater contamination and for people's health when it comes to the effects of the incinerator?

Hon Mrs Witmer: I recognize that the member was not aware of the new hazardous waste framework that came into effect in March of this year, but I'm pleased now that she is informed. So I guess subsequently she has asked another question regarding Safety-Kleen. As she knows full well, she did bring this issue to my attention. We have responded. In response to the request to deal with the Safety-Kleen site, an on-site inspector has been hired. That action was taken to provide an immediate and enhanced level of monitoring at that facility.

Again, if she has any new concerns whatsoever, I would encourage her, as I've encouraged her in the past, to bring them forward to the ministry in order that we can determine any further steps that need to be taken to ensure that the environment and the health of people in that community can be protected.

ONTARIO TRILLIUM FOUNDATION

Mrs Margaret Marland (Mississauga South): My question is for the Minister of Tourism, Culture and Recreation. Minister, I recently had the privilege of presenting an Ontario Trillium Foundation cheque in the amount of \$203,300 over three years to the Peel lunch and after-school program. This funding will help this excellent program to recruit more high school volunteers and to develop volunteer programs with local community-based organizations.

Our government has a strong record of assisting social service agencies through the Ontario Trillium Foundation, but in the past couple of years there has been new competition for Trillium funding from arts, culture, recreation and environmental organizations. Minister, can you explain why Trillium funding is now being allocated to a wider variety of sectors?

Hon Tim Hudak (Minister of Tourism, Culture and Recreation): I appreciate the question from the member for Mississauga South, and I want to congratulate all people involved with the Peel lunch and after-school program. I know the member herself is a very strong supporter of the good work they're doing in the community of Mississauga. The member is right: we have expanded those who are eligible for the Trillium

program under the Mike Harris government; for example, the arts and culture community, recreation, as well as environmental projects.

Interjection: Bocce ball.

Hon Mr Hudak: Bocce would be included as well. A very strong bocce club in Port Colborne, as a matter of fact, received a grant from Trillium under the previous minister, Helen Johns. That was done to reflect a need in the community to reflect some of the funding that was going to charities before. Not only, though, I would say to the member, have we expanded those eligible projects, but we have increased the funding to the Trillium Foundation by more than 10 times the value under previous governments, now \$100 million from our charitable gaming initiatives to support good projects in communities like Mississauga South.

Mrs Marland: Over the past 20 years PLASP—Peel lunch and after-school program—under the dynamic leadership of Sylvia Leal has been an exemplary role model for many organizations in Peel and across Ontario. In my riding of Mississauga South and across Ontario, there are a number of other fine organizations looking for support from Trillium to help them continue with their work and expand their involvement.

As you mentioned, with the new eligibility of the arts, culture and recreation sectors, there are even more priorities to be balanced. How does the Trillium Foundation balance priorities when making their decisions among the many groups seeking support?

Hon Mr Hudak: I thank the member for a very insightful question; hopefully my response will be instructive. The member is right. There are over 300 community volunteers involved in the Trillium Foundation on 16 regional grant review teams. The reason we're doing that is just as the member had expected: we want to make sure that local priorities are reflected among the local grant review teams so they can come forth with important priorities in their particular communities, whether it's arts and culture, recreation, the environment or social services.

Most important of all, the goal of the Trillium Foundation is to bring a very strong community spirit and pride, to build strong and vibrant communities for investment in job creation. I want to commend all the Trillium volunteers and the 16 grant review teams for their hard work and the number of hours they put in evaluating projects and bringing forward good projects like the Peel lunch and after-school program, and to tell them on behalf of the Mike Harris government to continue to do their good work.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr Peter Kormos (Niagara Centre): To the Minister of Community and Social Services: Minister, how can you be content to let adults with severe disabilities languish in institutions, under questionable circumstances, when their own parents say these people would

be better off at home with them? In today's *Globe and Mail* we read about a woman with cerebral palsy who wants to live at home, but your government won't give her the money to get the round-the-clock care she needs to do it.

In my own riding, you're well aware of 31-year-old Hasit Khagram, who has been confined like a laboratory rat to an institutional room where he can't even have human contact with his own distraught mother. Hasit has autism, and the longer he's holed up in a room alone, the quicker he regresses. His mother's in a panic. She needs proper funding to be able to get the round-the-clock care Hasit would need to be able to live with his family again. How can you ignore that plea?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): Expanding opportunities for community living is a priority for the government. I can't talk about particular cases because I don't have permission to talk about their personal health information in public.

I can say we've brought in record investment. Two years ago, we increased funding for developmental disabilities by \$35 million, and last year by \$50 million. Earlier this month the Minister of Finance, on behalf of the government, announced an unprecedented investment to expand community living, to expand supports to people in their own home, or building more group home beds, putting more money into community-based services like respite care, behaviour management and a range of other supports to help people live with the dignity they deserve.

Mr Kormos: In dignity, Minister? I know Hasit; I know his mother. Hasit Khagram's future lies very much in your hands. Hasit's mother lost custody of her son last summer because you sought custody and a judge ruled she didn't get enough money from your ministry to get the help she needs to keep Hasit at home.

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Since then, he has been thrown into an institution. Things have gone downhill. He walks around in soiled underwear. He urinates on the floor. He pounds his face with his own clenched fist. He rips out his own fingernails. He's locked up in solitary confinement with one single piece of furniture bolted to the floor, as he's viewed through Plexiglas.

He has no human contact. He hasn't been outdoors for over six months. His mother is denied human contact with her own son. She has to speak to him through small holes drilled in the Plexiglas, where Hasit whimpers, "Mommy, home. Mommy, home."

Tell me, Minister, is it worth saving a few bucks to watch a young man, a human being, languish like Hasit in the hell you've created for him?

Hon Mr Baird: The situation the member describes is obviously an incredibly disturbing one. This government has made this area a tremendous priority. I cannot, and I do not think it would be appropriate if I were to, discuss people's personal health information here on the floor of

the Legislature. You mentioned a circumstance where an issue of custody arose. I'm obviously not going to get involved and discuss that.

I can say we have provided an unprecedented commitment, by more than a \$250 million, to expand community living. We're providing substantial supports to associations for community living right across the province. We're providing substantial supports to build up capacity, to have stronger communities and stronger families.

As the member opposite will know, I am always available to discuss cases on a case-by-case basis, and if there are ways we can look to to provide additional support, I would be more than pleased to sit down and talk to you about them.

RED TAPE COMMISSION

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): My question is to the Chair of Management Board, and it concerns the Red Tape Commission. You will know, Minister, as do more and more members of this Legislature, that the Red Tape Commission is apparently a very influential body that was created by the Harris government some five or six years ago.

My question today is a very simple one: given the extraordinary mandate of the Red Tape Commission, can you tell the Legislature this afternoon what specific confidentiality rules and oaths of secrecy apply to the members of the Red Tape Commission, given the very sensitive information with which they apparently deal?

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): First of all, with respect to the Red Tape Commission, over the past several years they have created a very positive initiative for this government. Because of that, thousands and thousands of needless red tape measures in government, particularly from previous governments, have been gotten rid of. This has made a better climate for business. These are things the people, the electorate, have been asking for. They were key parts of our platform.

The Red Tape Commission deals with process questions. This is what we're dealing with, by and large. These are things with needless red tape; for example, we're talking about things like not being able to stock bars in hotels on Sundays. The Red Tape Commission deals with processes; they don't deal with confidential information. This is what we have enabled them to do.

Mr Conway: Let me tell you what the cabinet office is telling us the Red Tape Commission does. "According to Ontario's cabinet office, the Red Tape Commission is inextricably" linked "to the cabinet decision-making process. The Red Tape Commission reviews policy proposals, draft legislation, cabinet submissions" etc. It is quite clear that the Red Tape Commission has unprecedented access to a wide range of very sensitive government and cabinet information.

Currently the co-chairs of this Red Tape Commission are Frank Sheehan, a private citizen, and Steve Gilchrist, the member of the Legislature who, after a very few

weeks in cabinet, was kicked out because apparently he could not meet the cabinet's ethics standard. That is whom we've got heading this commission.

I repeat: it's very clear that this Red Tape Commission has extraordinary access to a wide range of exceptionally sensitive and important cabinet information. The question remains. What, Minister, are the specific confidentiality and secrecy obligations that you and your government apply to the membership of this Red Tape Commission, and how specifically do you enforce—

The Speaker (Hon Gary Carr): The Chair of Management Board.

Hon Mr Tsubouchi: I can only reiterate that this whole process is about getting rid of needless red tape. Red tape is a process; it's process-oriented. That's one of the reasons they're consulted, to make sure we don't in fact add additional red tape and provide stumbling blocks to economic development in this province.

I also beg to differ with the characterization of the member for Scarborough East, who certainly is a fine member who represents his area quite well. That's really an unfair characterization.

Red tape been something that was talked about prior to 1995. In the Common Sense Revolution, we committed to cutting red tape out of government. If I recall, back in 1995 in your particular political book, your member—when I went in to debate in 1995, he committed to get rid of half the red tape in this province. What the heck is that about? You either commit to getting rid of red tape or you don't. Another halfway Liberal measure: again, you can't commit one way or the other.

FARM DEER AND ELK

Mr Toby Barrett (Haldimand-Norfolk-Brant): My question is for the Minister of Agriculture, Food and Rural Affairs. From my understanding, you've recently announced the healthy futures partnership program for deer and elk farmers. This will benefit monitoring the transfer of deer and elk between provinces. Constituents in my riding and members of this industry in Ontario are very interested in this project. Could you please explain to the members of this Legislature and my constituents what this project's all about?

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): Our government and the Canadian Cervid Council will share in the cost of putting in place an inventory for Ontario's farm deer and elk. This project also has a velvet tagging component to it, which would allow the industry to thoroughly address the issues around product quality. Healthy futures for Ontario agriculture will provide about 70% of the funding for this, in the amount of about \$128,000.

One of the reasons for doing this is that this will allow the deer and elk farmers to meet the demands of the market this year in the industry and to reap the dividends for tomorrow. It also means that Ontario's deer and elk farmers are on a more equal footing with producers elsewhere in Canada and this industry becomes more

self-reliant. This project will help the deer and elk farmers provide new guarantees of quality and safety through a trace-back system.

Mr Barrett: Being from a rural riding, Haldimand-Norfolk-Brant, I do get inquiries regarding the lack of a provincial animal health act. Constituents have told me that other provinces have legislation that regulates the transfer of animals between provinces. I have a constituent who is very concerned about this issue. Could you please tell us what your ministry has done to address some of these concerns?

Hon Mr Coburn: We have put strong controls in place with regard to regulating the transfer of animals between provinces. For example, we have an active health surveillance program and an extensive technology transfer program. My ministry also works with the deer and elk industry and other levels of government, and with university partners and veterinary inspectors, to help ensure high standards of animal health. This helps in disease detection and effective disease control.

I can assure the member and our constituents that our current legislation, such as the Meat Inspection Act, the Milk Act and the Livestock Community Sales Act, is a key element in maintaining the highest level of quality and safety when it comes to transferring animals between provinces.

NORTHERN CANCER TREATMENT

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. For months, in fact years, we have been bringing you the stories of residents of northern Ontario who have no choice but to travel to get the health care they need. We have asked you to treat northerners fairly. We have asked you to end the discrimination that condones two different standards for the treatment of cancer patients in this province.

Last week, the auditor agreed that your policy is, and I quote, "inappropriately discriminatory," but when you were asked why you've delayed so long in changing this, you said it hadn't been an issue that long. Minister, you may not have been aware of this issue for long, but your government has known about it for years. Will you finally act to end the discrimination against northern cancer patients?

1450

Hon Tony Clement (Minister of Health and Long-Term Care): There's some confusion on this side of the House whether the honourable member said "auditor" or "Ombudsman." It was the Ombudsman who did report on Thursday, and the honourable member is aware of that.

I can tell the honourable member that I have directed the ministry of course to take the Ombudsman's conclusions very seriously. I have also directed the ministry to look at all travel grants throughout Ontario, northern Ontario, southern Ontario, cancer care travel grants for breast and prostate cancer, as well as travel grants for other health issues. Certainly the Ombudsman's conclusions and findings will be taken into consideration.

Mrs McLeod: I believe the review you've just described sounds exactly like the review that your government undertook of the northern health travel grant under your predecessor a year ago. I know the other thing you said last week was that you would not end your discrimination against northern cancer patients until you had a viable option. I would suggest to you that the only viable option to discrimination is to end the discrimination.

When the Ombudsman tried to get a copy of the review your predecessor initiated a full year ago, you embargoed it. It is only the second time in history that the Ombudsman has been refused access to a report in the course of an investigation. I suspect the reason that report was embargoed and not made available to the Ombudsman is that you have a viable option in front of you right now in that report that you want to bury. Will you release that report today so that we can all see what alternatives you're going to propose to end these years of discrimination?

Hon Mr Clement: I can assure the honourable member that the reason the documents she references are being embargoed is because they are cabinet documents, and in our system of parliamentary government, as she well knows, they are embargoed to the extent that cabinet is seized of the issues. Maybe that will change some day soon.

I can tell the honourable member that my position is the same as my predecessor's position. We want a fair travel grant scheme, a just travel grant scheme that is fair to everyone in the same degree in northern Ontario and southern Ontario. We will not rest until we have a viable plan that is fair and just to every citizen here in Ontario. The work on that continues. I wish I had a magic wand that could wave the situation away. In this case, it does take a little bit of time, and we're applying ourselves to it.

HEALTH CARE FUNDING

Mr Doug Galt (Northumberland): My question is directed to the Minister of Intergovernmental Affairs. Minister, there has been a lot of discussion about the growing health care costs here in Ontario and the future sustainability of the health care system. Although our government has increased health care spending from some \$17.4 billion in 1995 to \$23.5 billion this year, and that's far higher than our commitment back in the campaign of 1999, there are still critics who are concerned about the future of health care. With an aging and growing population, creating an increased demand on the health care system, there are sure to be problems in the future. Minister, what is Ontario's current position on health care financing?

Hon Brenda Elliott (Minister of Intergovernmental Affairs): Ontario is very concerned that we have top-quality, first-class health care for all of our citizens across the province. We have always considered health care to be a number one priority. Our Premier has been a

leader in securing health care funding for Ontario. At the first ministers' meeting last September, working with other provincial and territorial leaders, pressure was put on the federal government to increase their spending on health care. It was a welcome first step but not enough.

In fact, Ontario's share right now of the total health care spending has only been traditionally about 12%. It will go up to 13%, and that is a very far cry from its original agreement, to be part of a 50-50 arrangement. Right now, health care consumes 45% of Ontario's budget. That's \$745 per second on health care. We have been a leader in urging the federal government to be a health care partner and will continue to do—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up. Supplementary.

Mr Galt: Thank you, Minister, for that answer. I understand the federal Liberals have created a commission to address the future of the health care system on a national level. As Minister of Intergovernmental Affairs, I'm sure you're encouraging Ottawa to assume a fair share of health care, something they certainly haven't been doing in the past. You would think, with the comments from the Liberals across the House, that maybe they'd speak to their federal cousins about doing something about fairness in health care.

However, given the pressing need to address increasing health care costs, how does Ontario intend to advance its concern about financing at a provincial level, in spite of the lack of support from the federal Liberals and the provincial Liberals?

Hon Mrs Elliott: I do hope my colleagues from across the way in the Liberal Party will begin to talk to their federal Liberal cousins about how to be equal partners here in Ontario. It's long overdue, not only in Ontario but across the country. In fact, the projections for health care spending are indicating that it will grow from \$56 billion to \$100 billion in 10 years, and that is clearly a tremendous pressure. My colleagues in the provincial-territorial council are going to—

Interjections.

The Speaker: Minister, take a seat. The member for Windsor West, come to order, please.

Minister?

Hon Mrs Elliott: A lot of noise but no action.

My colleagues on the provincial-territorial council are going to be making a presentation to the Premiers' conference this August. I know Premier Harris is going to continue to talk about health care, and I suspect, having spoken to my colleagues across the country, that health care will still continue to be a number one issue.

Mr Romanow has been appointed by Prime Minister Chrétien to discuss health care—

The Speaker: I'm afraid the minister's time is up.

COMPETITIVE ELECTRICITY MARKET

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Energy. For some months I have been pointing out to you that your policy of

deregulation of electricity, privatization of electricity and higher electricity rates is going to lead to a loss of jobs in this province. This past weekend it struck home in the community of Kenora, where Abitibi-Consolidated has closed their paper mill. The company is very clear that it is the higher electricity rates that your government has presided over which are forcing them to close the mill.

This is only the beginning, Minister, because, as you know, you are receiving warning letters from companies in the mining industry, other companies in the pulp and paper industry, all of them pointing out to you that as you raise electricity rates, it creates incredible costs for them—costs which they can't sustain.

My question to you is this: how many jobs losses are you prepared to sustain as you go down the road of California and Alberta and privatize our electricity system and move into an American style of deregulated electricity prices? How many jobs are you prepared to sacrifice?

Hon Jim Wilson (Minister of Energy, Science and Technology): As I've pointed out on countless occasions in this House, Abitibi-Consolidated is in favour of introducing competition in our electricity sector. They see it as a way of curing the sins of the past, sins that were not looked at by the honourable member in the past when he allowed, along with the Liberals, \$38 billion worth of debt to accumulate in the old Ontario Hydro. This government has a plan to control that debt, to eventually pay down that debt and to lead to the lowest possible prices for companies like Abitibi.

The honourable member is dubious in his facts when he fails to mention the labour unrest that they've had at Abitibi and numerous other problems, the least of which is the cost of power at this point.

Mr Hampton: The minister should talk to the manager of the Kenora mill who said the company has met with Ontario Power Generation seeking a way to restructure how the mill purchases electricity: "We are trying to find a solution to our power costs"—power costs that have gone up by 14% as a result of your government's move to sell off our electricity system.

I just want to remind you that yesterday the California independent market operator—you know, the independent market operator that you're copying here in Ontario—warned people across the state to expect at least two, possibly three days of blackouts and to be ready to deal with much higher electricity prices. As you move toward selling our publicly owned electricity system to international energy companies who are more interested in selling the power in the United States where they can get a much higher price, what's your answer to all those Ontario manufacturers, all those Ontario small businesses? How are you going to help them deal with electricity prices that are going to double, if not triple, once you integrate us into the American market?

1500

Hon Mr Wilson: First of all, I don't know what he's talking about. California does not have an independent electricity market operator. Secondly, we are not

California; we have an abundant supply in Ontario. What we have to do is deal with the sins of the past and deal with the debt and provide consumers with choice and provide them with the lowest possible costs in the electricity sector.

I wonder what the honourable member is going to say to the mills in his riding and to those up north that have been pounding on my door to, first of all, as quickly as possible open our market to competition so they can buy for themselves new generating plants, so they can generate their own electricity for the first time and not be subject to the rules of the monopoly of Ontario Hydro, which were very unfair to independent electricity producers in this province. What does he honestly say to the people in his riding who have been in my office here in Toronto, who have been begging me to open the market, including Abitibi-Consolidated, so they can get on and make their own energy arrangements and not have to pay these excessive prices that were brought to us by the monopoly?

SHELTER ALLOWANCES

Mr David Caplan (Don Valley East): I have a question for the Deputy Premier. Back in the 1995 election, your party promised to introduce a shelter allowance program in the province of Ontario. You would be advised that the Housing Connections office here in the city of Toronto has begun to post a sign in their office, telling prospective applicants that they need not bother to apply—actually, that it will be a 10-year wait for them to be able to get into a housing unit once they have applied.

In your election document, you said that you would eliminate the two-year waiting lists. So my question is, when did you implement your shelter allowance program, and how well is it working in light of the fact that the Housing Connections office in the city of Toronto has now told prospective applicants that their wait will be a minimum of 10 years?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): I am pleased to remind the member opposite that in the budget this year, a month ago, there was an important initiative that had been sought by those in the industry in the business of building affordable housing, and that was to provide a greater incentive for the development of new affordable rental housing. It was proposed in the budget, and the government intends to extend the time horizon of the new multi-residential property class from eight years to 35 years. It is an important initiative.

The honourable member opposite looks perplexed. If he's unfamiliar with it, it's important to understand what that means in terms of the ability to finance affordable housing over the long term. Eight years was the rule; the rule now should be 35 years, which will open up that market, particularly in a financing way, to increase affordable housing.

PETITIONS

EDUCATION TAX CREDIT

Mr Dave Levac (Brant): "To the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I sign my name to this petition and give it to Meera.

Mr Rosario Marchese (Trinity-Spadina): I've got thousands of names here of citizens opposed to the tax credit for private schools.

"Whereas the announced tax credit for private school tuition will lead to government funds being directed to private education rather than the underfunded public school system that is mandated to educate all children, regardless of cultural, religious or socio-economic status;

"Whereas the education tax credit of up to \$3,500 per child, when fully implemented, will lead to an increase of students being enrolled in private schools to the detriment of the public schools;

"Whereas there will be no accountability for the use of public funds allocated through the education tuition tax credit; and

"Whereas the advocates for religious schools have indicated they will continue to seek full funding for religious education with the potential result of more public funding being diverted to private schools;

"We, the undersigned, call on the Ontario Legislature to vote to remove the education tuition tax credit from Bill 45, the Ontario 2001 budget legislation.

I support this petition fully.

FOREST INDUSTRY

Mr Michael A. Brown (Algoma-Manitoulin): I have a petition from the community of Wawa, supported by hundreds of letters from Wawa youth, to the Legislative Assembly of the province of Ontario.

"Whereas the Ministry of Natural Resources called for proposals with respect to surplus northeastern Ontario hardwood;

"Whereas Wawa Forest Products submitted a proposal for this surplus northeastern Ontario hardwood which included the building of a manufacturing facility in Wawa within the township of Michipicoten;

"Whereas on April 6, 2001, the Ministry of Natural Resources announced allocations of a portion of the surplus northeastern Ontario hardwood to Grant Forest Products in Timmins and Englehart, and Algoma Mill Works in Blind River;

"Whereas the residents of the township of Michipicoten believe that the proposal submitted by Wawa Forest Products is viable and will result in a desperately needed economic boost to the community and provide the industrial assessment needed for the continued viability of the community;

"Therefore be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Natural Resources arrange a meeting between officials of the Ministry of Natural Resources, Wawa Forest Products and the township of Michipicoten. The reason for such a meeting is to coordinate a consensus on minor differences that may exist in the plan submitted by Wawa Forest Products. It is the hope of the township of Michipicoten and its residents that such a meeting would result in the construction of the Wawa Forest Products mill in Wawa."

I agree with this petition, and I affix my signature.

EDUCATION TAX CREDIT

Mr Peter Kormos (Niagara Centre): I've got a standing-up-for-public-education petition addressed to the Legislative Assembly of Ontario, and it reads:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education."

It's signed by thousands of signatories and by myself.

ELECTRICITY GENERATING STATION

Mrs Margaret Marland (Mississauga South): I'm very happy to present this petition on behalf of my constituents in Mississauga South and the constituents of the member for Oakville, Garry Carr, who, as Speaker, is not able to present petitions in the House. It's to the Parliament of Ontario, and it reads as follows:

"Whereas Sithe Energies Canadian Development Ltd is actively pursuing the development of an 800 MW electricity generating facility;

"Whereas the 14-hectare parcel of land on which the station is proposed is located on the east side of Winston Churchill Boulevard in the Southdown industrial district of Mississauga;

"Whereas Sithe has stated its commitment to an open dialogue with communities where it has a presence and to being responsive to the concerns of the same; and

"Whereas the government of Ontario has a responsibility to ensure the safety of Ontario citizens and to determine how this facility will impact those who live in its immediate, surrounding area,

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the government of Ontario direct the Ministry of the Environment to undertake a formal environmental assessment of the Sithe project."

I am very happy to add my name to this petition.

1510

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): I have more petitions to the Legislative Assembly of Ontario.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the northwestern and northeastern Ontario Cancer Care centres have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel

grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their own communities until such time as that care is available in our communities."

PERSONAL NEEDS ALLOWANCE

Mr David Christopherson (Hamilton West): I have further petitions from the Hamilton second level lodging home tenants committee, and I would point out that these petitions are signed not just by Hamiltonians but by people from Fort Erie, Ottawa, Cobourg and other areas. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas individuals who are tenants and residents in facilities such as care homes, nursing homes or domiciliary hostels under certain acts are provided with a personal needs allowance to meet incidental costs other than those provided by the facility; and

"Whereas the personal needs allowance has been fixed by the Ontario government at a rate of \$112 for nearly a decade and has not kept pace with cost-of-living increases, and furthermore is inadequate to meet incidental costs such as clothing, hygiene products and essentials;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to immediately review and amend provincial legislation to increase the personal needs allowance from \$112 a month to \$160 a month for individuals living in care homes, nursing homes or other domiciliary hostels."

I add my name to this petition as I am in support of it.

EDUCATION TAX CREDIT

Mr Doug Galt (Northumberland): I have a petition here addressed to the Legislative Assembly of Ontario.

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

Mrs Claudette Boyer (Ottawa-Vanier): I have a petition to the Legislative Assembly of Ontario.

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government plans to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

It's a pleasure for me to assign my signature.

Mr Gilles Bisson (Timmins-James Bay): I have a petition here signed by a number of people. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I sign that petition.

HOSPITAL RESTRUCTURING

Mr Ernie Parsons (Prince Edward-Hastings): I have a petition to the Legislative Assembly of Ontario.

"Whereas in 1998 the Mike Harris government forced hospitals in Bancroft, Belleville, Picton and Trenton, Ontario, to amalgamate into the Quinte Healthcare Corp;

"Whereas the fiscal management of each of the aforementioned hospitals prior to amalgamation was prudent, efficient and accountable to their communities;

"Whereas amalgamation and provincial government cutbacks have created a \$5-million deficit for the Quinte Healthcare Corp;

"Whereas any reduction in hospital and health care services in each of the aforementioned communities is completely unacceptable;

"Whereas this provincial government promised to ensure that the effect of amalgamation would not result in any reduction of health care or hospital services;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Instruct Premier Mike Harris and Health Minister Tony Clement to provide enough funding to the Quinte Healthcare Corp that will cover the projected \$5-million deficit and ensure that quality health care and hospital services in the long term will continue in Bancroft, Belleville, Picton, and Quinte West, Ontario."

I'm pleased to add my signature to this petition.

EDUCATION TAX CREDIT

Mr Rosario Marchese (Trinity-Spadina): I've got another petition from many citizens from Barrie, Cobourg, Halton, Hamilton, Kenora, Kitchener, Waterloo, London, Mississauga, Oshawa, Owen Sound, Peterborough, all over Ontario, citizens who are opposed to the tax credit for private schools.

"To the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I support this petition very strongly, Speaker. I'll sign my name to it.

WATER EXTRACTION

Mr John Gerretsen (Kingston and the Islands): I have a petition here to the Legislative Assembly of Ontario.

"Whereas we, the residents and cottagers of Bob's Lake, strenuously object to the permit issued by the Ministry of the Environment to OMYA Inc to remove 1.5 million litres of water per day from the Tay River without adequate assessment of the consequences and without adequate consultation with the public and those people and groups who have expertise and interest; and

"Whereas it is our belief that this water taking will drastically impact the environment and seriously affect the water levels in Bob's and Christie lakes. This in turn would affect fish spawning beds as well as habitat. It would also affect the wildlife in and around the lakes;

"Whereas Bob's Lake and the Tay River watershed are already highly stressed by the historic responsibility of Parks Canada to use Bob's Lake as a reservoir for the Rideau Canal; and

"Whereas the movement of water from the lake through the watershed for navigation purposes in the canal provides sufficient stress and problems for the lake. This water taking permit will only compound the stresses on the waterway;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that this permit be rescinded until a comprehensive evaluation of the impact of water taking by OMYA Inc on the environment, the water levels and the water needs of these communities is complete. An independent non-partisan body should undertake this evaluation."

This is signed by a number of residents, and I have added my signature to it as well.

ORDERS OF THE DAY

AMBULANCE SERVICES COLLECTIVE BARGAINING ACT, 2001 / LOI DE 2001 SUR LA NÉGOCIATION COLLECTIVE DANS LES SERVICES D'AMBULANCE

Resuming the debate adjourned on June 12, 2001, on the motion for second reading of Bill 58, An Act to ensure the provision of essential ambulance services in the event of a strike or lock-out of ambulance workers / Projet de loi 58, Loi visant à assurer la fourniture des services d'ambulance essentiels dans l'éventualité d'une grève ou d'un lock-out de préposés aux services d'ambulance.

The Speaker (Hon Gary Carr): Pursuant to the order of the House dated June 13, 2001, I am now required to put the question.

Mr Stockwell has moved second reading of Bill 58, An Act to ensure the provision of essential ambulance services in the event of a strike or lock-out of ambulance workers. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1521 to 1526.

The Speaker: Would the members kindly take their seats.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Hastings, John	Mushinski, Marilyn
Baird, John R.	Hudak, Tim	Newman, Dan
Barrett, Toby	Johns, Helen	Sampson, Rob
Clark, Brad	Johnson, Bert	Snobelen, John
Clement, Tony	Kells, Morley	Stewart, R. Gary
Coburn, Brian	Klees, Frank	Stockwell, Chris
Cunningham, Dianne	Marland, Margaret	Tascona, Joseph N.
DeFaria, Carl	Maves, Bart	Tsubouchi, David H.
Dunlop, Garfield	Mazzilli, Frank	Turnbull, David
Ecker, Janet	Miller, Norm	Wettlaufer, Wayne
Elliott, Brenda	Molinari, Tina R.	Wilson, Jim
Galt, Doug	Munro, Julia	Witmer, Elizabeth
Gilchrist, Steve	Murdoch, Bill	Young, David

The Speaker: All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Colle, Mike	Lalonde, Jean-Marc
Bisson, Gilles	Crozier, Bruce	Levac, David
Boyer, Claudette	Curling, Alvin	Marchese, Rosario
Bradley, James J.	Di Cocco, Caroline	McLeod, Lyn
Brown, Michael A.	Dombrowsky, Leona	McMeekin, Ted
Bryant, Michael	Duncan, Dwight	Parsons, Ernie
Caplan, David	Gerretsen, John	Peters, Steve
Christopherson, David	Hampton, Howard	Phillips, Gerry
Churley, Marilyn	Hoy, Pat	Pupatello, Sandra
Cleary, John C.	Kormos, Peter	Smitherman, George

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 39; the nays are 30.

The Speaker: I declare the motion carried.

Pursuant to the order of the House, the bill is referred to the standing committee on justice and social policy.

MPP COMPENSATION REFORM ACT (ARM'S LENGTH PROCESS), 2001

LOI DE 2001 PORTANT RÉFORME DE LA RÉTRIBUTION DES DÉPUTÉS (PROCESSUS SANS LIEN DE DÉPENDANCE)

Mr Tsubouchi moved second reading of the following bill:

Bill 82, An Act to amend the Legislative Assembly Act to provide an arm's length process to determine members' compensation / Projet de loi 82, Loi modifiant la Loi sur l'Assemblée législative pour établir un processus sans lien de dépendance permettant de fixer la rétribution des députés.

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): I'm rising today to begin second reading debate on Bill 82, An Act to amend the

Legislative Assembly Act to provide an arm's length process to determine members' compensation.

The proposed legislation would ensure that future compensation given to members of provincial Parliament would be determined by Ontario's Integrity Commissioner. This law, if passed, would ensure that the salaries for members of provincial Parliament would be set by an impartial third party, not by elected politicians.

This legislation proposes that the Integrity Commissioner review compensation paid to members at intervals he or she deems appropriate. Any review or proposed change to members' compensation would be public and transparent. If the Integrity Commissioner determines that a review should be done, then he or she would prepare a report outlining compensation changes. The report would be submitted to the Speaker of the Ontario Legislature, who would then table it in the Assembly and publish it in the Gazette. This process is fair to members of provincial Parliament. More importantly, this process is fair to Ontario taxpayers.

I would like to remind the House that in 1996 our government reformed MPPs' compensation, eliminated tax-free allowances, got rid of the gold-plated pension plan, at the same time cutting the average pay of politicians by 5%. Furthermore, as promised in the Common Sense Revolution, our government cut the number of politicians at Queen's Park from 130 to 103, the first cut of its kind since 1933. Our government also cut the cost of government administration by 35%, saving taxpayers \$300 million a year.

Legislating members' compensation to an impartial third party is another example of how our government will continue to maintain our accountability to Ontario's taxpayers.

The Speaker (Hon Gary Carr): Questions and comments?

Mr Howard Hampton (Kenora-Rainy River): I just want to point out a few things that perhaps the minister responsible for Management Board could allude to. We've done a calculation of MPPs' salaries in 1995 and maybe the minister responsible can confirm or deny this. In 1995, MPPs were paid \$42,000 a year and had a \$14,000-a-year tax-free expense allowance. If you gross up the tax-free expense allowance, it grosses up to approximately \$21,000 a year, so \$42,000 plus the \$21,000 grossed up equal \$63,000. I just heard the minister responsible for Management Board say that you cut salaries, but by any calculation, when you gross up the tax-free allowance, they went from \$63,000 a year to \$78,000 a year. I wonder how you can call going from \$63,000 a year to \$78,000 a year in 1996 a reduction in pay.

The cabinet minister also referred to the fact that you reduced the number of MPPs. I want to point out that soon after that the government House leader had to acknowledge that, yes, having reduced the number of MPPs, you then had to increase the constituency allotment for each MPP because fewer MPPs would be handling more constituency work, more case work. In

fact, I remember the government House leader saying there were no net savings in that. So I wonder if the minister responsible for Management Board can explain those anomalies, the differences in what he just said and what appear to be the figures.

Mr Dominic Agostino (Hamilton East): I want to thank the Chair of Management Board for his comments.

Ms Marilyn Churley (Toronto-Danforth): I want to comment and remind the House and the minister who just spoke about the plight of minimum wage earners in this province. I want to remind them that more than half of them are aged 15 to 24 years old; six out of 10 minimum wage earners work part-time; and they make only \$6.85 an hour, right here in Ontario. We've enjoyed really good economic times and the government takes all the credit for that. We know, of course, that the good economy is a result of the good economy in the United States, and we are watching right now, as the economy is going in the dumps there, the impact that's starting to have here.

Leaving that aside, whoever is responsible for the dips and dives in the economy, the reality is that we've been in a very good economy here in Ontario for the past several years, and the government has not seen fit during that time to raise the wages of the lowest-paid workers in Ontario. Everywhere I go—it happened just recently on the weekend. I was visiting co-op housing for recovering alcoholics and people who abuse drugs, who were talking to me about the minimum wage and how people cannot get by on that any longer.

I have a real problem when we're here talking about the fact that we are going to raise our wages, when here we are living in good economic times and the government after all these years, coming to power in 1995, has not seen fit to raise the wage of minimum wage earners. I would very much like to use this opportunity for the government to make an announcement that it will raise the amount the minimum wage worker makes in this province.

Hon David Turnbull (Solicitor General): I want to thank my colleague. I think this is a step in the right direction. It always has been in my mind an obscenity that politicians set their own pay. It is appropriate that it be handled by an outside authority and that we should not have a hand in this. So I think this is certainly a step forward that all fair-minded people in Ontario would agree would be appropriate.

The Speaker: Response?

Hon Mr Tsubouchi: To the member for Kenora-Rainy River, just a simple calculation answer: when the salaries were then chosen to become transparent, that took into account the abolition of the gold-plated pension plan, which we no longer have.

The Speaker: Further debate?

Mr Michael A. Brown (Algoma-Manitoulin): I rise today to speak to Bill 82, an act that will provide a process for determining MPPs' salaries. Since I came to this Legislature in 1987, I have been struck by the absurdity, and frankly the great conflict of interest, of setting our own salaries. This is the issue that I think

defines conflict of interest. Nothing could be a greater conflict of interest than determining—

The Speaker: Order. If you want to take your debate outside, you can do that. The member for Algoma-Manitoulin has the floor. Sorry for the interruption.

Mr Brown: There could be no greater conflict of interest than trying to set or actually setting one's own salary and spending public money in order that we are paid. That is the conflict of interest.

I recall that back in 1987 there was a salary increase in this province for members of the Legislature, of what was then cost of living. I remember in 1988 that also happened, and in 1989 it happened again, supported by all three parties, supported by all members of the Legislature insofar as I can recall. As a matter of fact, I think they all passed on voice votes. I then recall that in 1993, the next time the issue was addressed, our salaries were rolled back 5% by the social contract, and then in 1996 the new grossed up pay system was put in place.

All those were awkward events. They are very difficult for us to deal with credibly. I think all of us understand that. That means that in over 14 years this issue has been addressed in this Legislature five times. I think by any stretch of the imagination that is an inadequate system.

I like what the government is saying on this occasion, the occasion that the Conflict of Interest Commissioner—because that's what he was formerly known as—but the Integrity Commissioner started out in this Legislature in about the same time frame, 1987 or 1988. I can't quite recall the exact year. He was the one we, as members of this Legislature, trusted to declare all our assets to, all our sources of income, all our spouses' or partners' sources of income, all our minor children's sources of income. Everything we owned or any income we might obtain was declared to the Conflict of Interest Commissioner, now the Integrity Commissioner.

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This is the person we trust to look after the integrity of the province of Ontario. That seems to me to be the appropriate place for decisions on our salary to be made. It seems to me that the Integrity Commissioner has the moral authority in this province to deal with this issue as he does with every other issue regarding members' assets and liabilities and even their spouses' and minor children's assets and liabilities. He is here to protect us. While I'm uncomfortable with discussing this at all, let this be the last time we need to do that in this place.

I just want to bring to members' attention a quote I would like to read from the debate of January 1988. This is the Leader of the Opposition, the honourable Robert K. Rae. He said:

"We are subject to an extraordinary degree of public scrutiny as members of a profession that deals with the public and for whom publicity is a way of life for us. The question is raised on many occasions, whenever salaries are raised, that it is not the right time. People say this is not the right year. Let me tell you, Mr Speaker, there is never a right year to deal with this question. It is always

going to be one which will raise eyebrows and obviously one which will raise concerns from a public which in many cases does not have the highest opinion of those of us who are in elected office.

"I want to make it very clear that I do not have any figure in my head that is an ideal figure for what a member should be paid, or for what a cabinet minister should be paid, or for what the Leader of the Opposition or the leader of the third party should be paid.

"What I want to say to this House is ... I do not think it is right that we should be put in the position every year of having to determine our own salaries. It is inappropriate," Mr Rae said. "It puts us in an invidious position, and I think it is wrong."

Further in the Hansard he goes on to say, "Let the commission determine what the rate should be and let that be the end of it. I hope we never have to have another debate in this place or in any other place in terms of what our salaries should be." That is the position I take.

The Speaker: Questions and comments?

Mr Gilles Bisson (Timmins-James Bay): I want to add just a couple of things to the record. I guess the problem I as a New Democrat am having with this whole debate is that it's not a question of, "Are members valued for what they do? Should members make more money? Should we have an independent process?" I understand all those arguments. The difficulty I'm having is simply this: we've lived in an economy where over the last number of years we've seen, as my good friend from Toronto-Danforth pointed out, minimum wage workers who have not had an increase since the time we gave an increase in 1994 under the Bob Rae government. We've been calling on this provincial government to give minimum wage workers an increase to at least the level that American workers got at the time we introduced our legislation some couple of years ago under the leadership of Howard Hampton.

For the last 10 years, as a government member and as an opposition member of this assembly, I have had to watch what governments, both mine and others, have done when it came to going into the public sector and saying, "You should tighten your belt." We need to make sure we aren't excessive in our demands, so we're able to properly manage the affairs of the province of Ontario when it comes to the ability to pay.

I have difficulty trying to say to minimum wage workers by way of the provincial government that they are not going to be getting an increase. Those workers who have worked in the public sector for the last 10 years have had minimal increases of 1% or 2% per year, and on top of that we have workers in the private sector who are being hammered every day when they try to bargain their collective agreements and are told they are greedy if they're asking for more than 1%, 2% or 3%. How could it be that we as members of this assembly can allow ourselves to be judged a different way?

I say, do members deserve what they get? Yes. Should there be an independent process? Yes. To me, the ques-

tion is simply this: is it fair as compared to what happened to other workers out there? I think the answer is clearly no. For that reason, I don't support this legislation at this time, because of what's happening out there in the reality of the world.

Hon Frank Klees (Minister without Portfolio): In response to the member from Algoma-Manitoulin, who I think set out very clearly what the purpose of this legislation is, those of us on this side of the House will be supporting the bill simply because it does take out of the hands of members of this Legislature the decision about what we should be paid. I think it's unfair to place us in that position to make that decision. So for an independent individual, highly regarded, highly respected in this province, to have the responsibility to set that is appropriate.

I would also for the record point out the reference that was made to minimum wage in this province. During the 1990s, according to the Ministry of Labour, the minimum wage increased some 34%. That's not to say that it necessarily is where it should be, and that may well be an issue for debate. But let me clarify that during the 1990s, the minimum wage increased by 34% in this province. I think people should know that.

Mr John Gerretsen (Kingston and the Islands): I agree with many of the comments that have been made by my colleagues within the New Democratic Party, except for one thing. The question that I have of them is, are they going to take the raise or not, if there is to be a raise? That's the issue, because certainly their colleagues in the federal House took the position, they voted against it, and then they took the raise.

Let me just very quickly talk about this bill. I like the process, but I hope the commissioner at least will take into account—and I realize that there should be as little instruction to him as possible—the possibility that whatever increase he's going to implement, we will implement it after the next election. This is the way a lot of councils do it, a lot of the local governments—not every government—so that if people have something to say about it, if they feel it is an election issue, they can do so in the next election. That's the fairest way to do it.

Yes, there are many other arguments that can be made as to why other people aren't making more money and why the minimum wage shouldn't be increased, and I agree with all those arguments. I don't think we're hard done by in this place. I still think that even with what we're getting right now, we're in the top 2% or 3% of the wage earners of this province. I quite frankly don't care what the federal people make. If they make twice as much as we do, or half of what we do, who cares? I ran for this job; they ran for that job.

On the other hand, the average person out on the street already thinks we've got a raise and that we still have a gold-plated pension plan. That's the perception the average person has. So I say let's get on with it, let's not play politics with it, and let's hope that whatever the Integrity Commissioner comes back with will be implemented after the next election.

The Speaker: Further questions or comments?

Ms Churley: The words quoted from—

Mr Gerretsen: Are you going to take it?

Ms Churley: Absolutely. Do you think I'm going to take any less money than you or you across the floor?

Let me tell you something. I have a copy of the Common Sense Revolution—remember that?—when Mike Harris, who was then running as the leader of the Tory caucus, undervalued and demeaned politicians every step of the way, even bragged in his Common Sense Revolution about taking away the sweet deals that politicians have for themselves etc.

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Then they attempted to give a raise to all politicians when they realized they had made all their own politicians angry. They attempted to do it, and then the fallout came and they backed off. They didn't have the guts or the courage to do it themselves, and so they let it sit for a while. They begged and pleaded and tried to find an agreement with all parties in this House and couldn't find it. Then what did they do? Let me tell you, I support the notion, under other circumstances, of having an independent body make this decision. But we know very well what the circumstances are here. Let's not pretend: we're human beings, and every human being would like a pay raise, for heaven's sake, if it's offered. Let's get real. We're human beings; we're people. That's the reality. But what they did, and what you're agreeing to here, is to go along with a backdoor process. If they had the guts to give the raise, which is what they tried to do last year and backed down, they would just do it.

You Liberals know as well as I do what is really going on here. It's crass and underhanded, and that's why I don't support it.

The Speaker: Response?

Mr Brown: I want to thank the members for their comments. I understand there are other major issues before this province. This is perhaps not a priority, and this is a good reason to have it out of this place. It is a good reason to depoliticize this place so we can get on with the important work of the people of Ontario.

Mr Speaker, you will understand, and I think all members on all sides of the House understand, that this is an important, significant work/job/position we have. This work we do on behalf of the people of Ontario is taken very sincerely by members of all three political parties. We work hard. None of us—at least I can't think of a member who sought this job because of the salary or perks it might have. As a matter of fact, when I ran, I had no idea what the salary might be. I just presumed the people of Ontario would want us to be treated fairly. The problem, of course, is how you decide your own salary. How is that fair in any way?

I have the utmost confidence in the Integrity Commissioner. Whether he proposes an increase or a decrease, I'm sure it will be acceptable to all members of the Legislature. I ask members not to use this debate to demean our position here. Remember, whether we're on the

government side or the opposition side, we're here to do the people's work.

Mr Mario Sergio (York West): On a point of order, Mr Speaker: There are times when 10 seconds can make a lot of difference. It just happens that on the vote on Bill 58 we were cut 10 seconds short. The doors were closed, and me and a couple of other members couldn't access the chamber to vote. I think we should be allowed the full time, so we can run from our offices down here and vote. Unfortunately, there were still 10 seconds left and the doors were closed. I think we should be allowed the full time.

The Speaker: I was here, and the clock counts down. We have our own clock here that we see. I know some members cut it very close. In fact, I've seen people dive through the door and barely make it. It's a wonder we haven't lost some parts. But on this one, the clock counted down. We will check and make sure, but as far as the clock in here, we waited, and I make very clear when we get down to zero—the clock should be correct, unless there's something wrong with it, which I don't think there is. We will check that, though.

Further debate?

Mr Hampton: I look forward to taking part in this debate, because there is a historical element to this, a constitutional element to this and, I must say, I think there is a fairness element to this. I want to use the time allotted to me to outline all those aspects. Let me say that I think people across Ontario would probably appreciate all those aspects of this debate.

Let's be very clear about what's going on here. The government wants to enact legislation which, if you read the legislation and you read the boundaries of the legislation, will entitle MPPs to a considerable pay raise. That's what's going on here. The government, over the last two years, has tried on three occasions to bring forward substantial increases in MPPs' pay. Each time, they have backed away from it because they simply didn't have the political courage to do it. They recognized that they had some problems, some historical problems. I want to first speak about those historical problems.

I remember the period 1993, 1994, 1995, when Mike Harris was the leader of the third party, leader of the Conservative caucus, and I remember him going across the province and saying that members of the Legislature had gold-plated pension plans, so gold-plated that MPPs were grossly overpaid. That was the position of the then leader of the Conservative Party—now Premier of Ontario—that MPPs were grossly overpaid. I think I'm probably understating it, probably understating it by quite a lot, in terms of just using that volume and that repetition, because it was repeated everywhere by members of the Conservative Party, by the leader of the Conservative caucus, Mike Harris, for over two years.

After saying that MPPs were grossly overpaid, the now Premier of Ontario, six years later, has been trying to find a way to increase pay by 32%, even 42%—in six years—a total flip-flop in positions. That's a bit of

history about this, and it's a bit of history about the statements of members of the Conservative caucus before and members of the Conservative caucus now.

That's the scenario. The government wants a 32%, a 42%, a 52%, maybe even a 70% increase, but they don't want the political accountability that comes along with it. If you remember the throne speech this year, I think the word "accountability" was repeated at least four times every page of the throne speech.

Now, accountability means that you are held accountable for your actions. You are held accountable for the minimum wage if it's increased or if there's a failure to increase it. You are held accountable if nurses are paid so low in Ontario that they begin to leave Ontario for other jurisdictions. You are held accountable for all of those issues in the broader public sector.

But here we have a government that is, frankly, trying to escape accountability. You see, after saying in 1993, 1994 and 1995 that MPPs are grossly overpaid because they have gold-plated pensions, it becomes a bit difficult for the government to now suddenly say, "Oh, but after only six years, the pay has to be increased by 30% or 40% or 50%," and to say that to minimum wage workers who have had their wages frozen now in Ontario for six and a half years. For six and a half years, the minimum wage has been frozen at \$6.85 an hour. Based on a 40-hour week, that will barely give you an income of \$14,000 a year.

Social assistance rates were first cut 22% and have now been frozen for six and a half years. People in the broader public sector in this province, whether fire-fighters or nurses or teachers or child care workers or municipal workers, have been told over and over again since 1995 that they are limited to pay increases of 2% or less every year.

The government wants to find a way to dissociate itself from the rhetoric, the godawful rhetoric, it used in 1993, 1994 and 1995 to say that MPPs were overpaid. It wants to find a way to dissociate itself from that, and then it wants to find a way also to dissociate itself from the rules that apply to virtually all the other workers in the province, certainly those who work in the broader public sector—education, health, municipal—and to dissociate itself from the lowest-paid workers in the province, who have had their wages frozen for six and a half years. The government wants one rule for all those people, but it wants an entirely different rule for MPPs. That's what's really going on here.

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There have been three other attempts by this government to increase MPPs' salaries, by 32%, 40% or 42%. They backed away from each of those because at the end of the day they recognized the hypocrisy of freezing the minimum wage for six and a half years but then voting MPPs a 30% pay increase, the hypocrisy of telling everyone else out there, nurses, teachers, child care workers, municipal workers, "You're limited to 2% or less a year," but then turning and voting a 30% or a

40% pay increase for themselves. They recognized the hypocrisy and they backed away from it.

The Acting Speaker (Mr Bert Johnson): That's one word I'll ask you to refrain from using.

Mr Hampton: I will refrain from using that term, Speaker.

That's a bit of the background. I can cite the report of the Speaker's Commission on Members' Compensation, which was issued last June 14, a year ago. The government commissioned the Speaker to set up a commission, and the commission came forward then with a recommendation for a 32% pay increase, but the government, recognizing that as government they would have to vote yea or nay, decided, "We don't want to be held accountable for this," so they said no.

This is all about escaping accountability. That's what this bill is all about: escaping accountability. A government that uses those terms over and over again, when it comes to its own pay, wants to escape accountability. They want to be able to say, "Oh, the devil made me do it."

Let's be perfectly clear here: this is government saying they want a pay increase. I take it now this is Liberal members saying they want a substantial pay increase. But they want to avoid the political accountability that comes with it.

Mr George Smitherman (Toronto Centre-Rosedale): You're the one doing that.

Mr Hampton: I say to the Liberal member that he will get a chance to speak if he wants to speak.

The Acting Speaker: Would the member for Toronto Centre-Rosedale come to order.

Mr Hampton: I want to refer to what I think is inherent in the process the government has set up. What I think is inherent is identified in the report of the Speaker's commission that was issued last June 14. This is the commission that calls for a 32% pay increase. What I note in this commission is that nowhere does it compare the wage and salary structure of MPPs here in Ontario with the wage and salary structure of other MPPs across Canada: in British Columbia, Alberta, Saskatchewan, Manitoba, Quebec, Nova Scotia, Prince Edward Island, New Brunswick, Newfoundland. Don't you find it passing strange that the government would put together a comparative process but then doesn't compare you to anyone you would think you should naturally be compared to, members of the Legislature in other provinces?

I suspect that comparison didn't happen because it wouldn't have led to the result the government wanted. The comparison the Speaker's commission used was in fact to people who are not legislators, to people who are out there in some other line of work, people who are not involved, in many cases, in public sector work, are not elected members of a Legislature, are not elected bodies, but certainly wouldn't compare them to MPPs.

I suggest that most of us would say that should be the automatic comparison. The automatic comparison should be, "What are your peers making in other provinces? What are your peers making in Quebec, the province

immediately next door? What are your peers making in Alberta, the province which has, as its government likes to boast, a growing economy, which has adopted similar policies to this government? What do MLAs receive, for example, in British Columbia, which has the next-largest economy after Quebec and Ontario?" None of those things were compared. They were absent. Let me suggest to you why they were absent, and I think this will tell us why this is really a process aimed at getting a pay increase no matter what the evidence indicates.

What does a member of the Legislature receive in British Columbia? A member of the Legislature in British Columbia has a pay of \$71,000 a year. In Ontario it's \$78,000 a year.

What does a member of the Legislature in Alberta receive? They receive \$39,720 in pay and \$19,860 in expense allowance, so if you gross that up, add about another \$9,000, it still doesn't get you to \$78,000.

Interjections.

Mr Hampton: I noticed many of the Liberal members here didn't get on their feet to speak, but they want to say something now. I'd just say, if you have something to say, get on your feet and participate in the debate.

A Quebec member of the Legislature has a pay of \$71,000 and an expense allowance of \$12,000, not much different from where MPPs are here.

We can go down the list. Prince Edward Island: salary, \$33,000; expense allowance, \$10,000. Nova Scotia: \$31,965; expense allowance, \$15,000. New Brunswick: \$38,000; expense allowance, \$18,000. Newfoundland: pay of \$40,000; expense allowance, \$20,000. Manitoba: pay of \$61,000; no expense allowance. Saskatchewan: \$58,000; \$4,781 expense allowance. These figures are salaries and allowances for provincial legislators in the year 2000, so I would assume they are accurate to within the last four or five months.

So the process that was used last spring by the Speaker's commission, I would suggest to you, was not a fair comparative process. It was a process that was very, very selective. By leaving out the members of other Legislatures, of Quebec, Manitoba, British Columbia, Alberta, I think it indicates to all of us what an unfair process, what a selective process, it was.

That's a bit of how we got here. That's a bit of the historical and institutional history about how we got here.

Now the government brings forward this legislation, and I want people at home to understand exactly how it would work. What it would do is this: the government would avoid accountability. By passing this legislation, the government would be able to say, "You, the nurse, will get a pay increase of 2% or less this year. You, the teacher, will get a pay increase of 2% or less this year. You, the municipal worker, will get a pay increase of 2% or less this year, as will the librarian, the child care worker, those people who work for the associations for community living. You'll get a pay increase of 2% or less this year, and the Legislature of Ontario, the Conservative government of Ontario, will make certain that you

pay increase is limited"—and they will be accountable on that part.

There will be debate in the Legislature and there will be bills and there will be votes, but when it comes to MPPs' pay increases, if this legislation passes, there will be no such accountability—none. There won't even be a vote in the Legislature any more. This whole matter will be turned over to someone who is not accountable to the citizens of Ontario, who is not elected by the citizens of Ontario, does not have to account in any way to constituents or to the broad public of Ontario. It will be turned over to someone who can, with a stroke of a pen, avoid all that accountability. That's what this is about.

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To give people a sense of how unprecedented this is—and I think people at home need to reflect on how unprecedented this is—is this the process in British Columbia? No. Is this the process in Alberta? No. Is this the process in Saskatchewan? No. In Manitoba? No. In Quebec? No. In New Brunswick? No. Newfoundland? No. Prince Edward Island? No. In virtually every other province in the country, elected members agree to be held accountable on whatever salaries or benefits they vote for themselves. They believe in that level of accountability. But here in Ontario, this is a statement of the government that it doesn't believe in that kind of accountability. It doesn't believe that at the end of the day members of the Legislature should be held accountable for what salary increases and what benefit increases they have, in effect, arranged for themselves. That's what this is: it is an arrangement.

All you have to do is look at the Speaker's commission of last spring and that becomes very clear. When the so-called commission doesn't even compare MPPs' salaries in Ontario with the salaries of other legislative members or members of the Quebec National Assembly, I think you have to say to yourself there's something amiss here; there is something clearly amiss. But that is the strategy. The government wants to avoid that accountability, and they are going to do something which is almost totally unprecedented.

Even the British parliamentary system, the British House of Commons, does not use this kind of system. Yes, they have an independent commissioner there who is entitled to make recommendations, entitled to make comparisons and then follow on with recommendations, but it is not an automatic process that then escapes the scrutiny of the Legislature. It's not an automatic process. There, at the end of the day, members of the Legislature have to vote and have to follow on in terms of whether or not they take the so-called increase.

But here in Ontario the government wants to set up a completely unaccountable system when it comes to their own pay. One has to wonder and one has to ask, what happened to this government's respect for the taxpayer? This is the government that has said over and over again that it shows respect for the taxpayer. There is no respect for the taxpayer in this process. In fact, if anything, there is disrespect for the taxpayer. There is an attempt to elude

the taxpayer. There is an attempt to find a way to finesse oneself by the taxpayer, to avoid the taxpayer, to somehow say that the salaries and wages of MPPs should not be subject to taxpayer scrutiny.

If I follow the rhetoric of this government, they have said over and over again that members of the Legislature are here to scrutinize on behalf of the taxpayer, to be the yellow light, the red light on behalf of the taxpayer and to raise these issues when someone is trying to elude the spotlight of the taxpayer. But here we have a strategy that from day one is designed to avoid the scrutiny of the taxpayer, is designed to ensure that the taxpayer cannot hold them accountable, that the taxpayer cannot say, "As my MPP, what were you doing when you OK'd this? How do you justify this?"

That's what this is. I think that's why as more and more people come to understand it they will find it so offensive, that despite all this government's rhetoric about being here on behalf of the taxpayer, about respecting the taxpayer, about ensuring that those hard-working men and women across Ontario receive accountability for their taxes, despite all that rhetoric, this is a strategy, a scheme, to avoid taxpayer accountability, a strategy, a scheme, to show disrespect for those taxpayers.

I invite people at home to actually have a look at this bill, because I just want to show how unprecedented this is. It is a basic principle, not just here in Ontario but throughout the whole British parliamentary system—and we are all receptors of the British parliamentary system—of responsible government that money bills, bills which impose a tax or specifically direct the allocation of public money, of taxpayers' dollars, can't even be introduced by anyone except ministers of the crown. So a member of the Legislature over here couldn't even introduce an expenditure bill. We couldn't even introduce something that would result in public expenditure. It is part of the constitutional framework of the British parliamentary system, of Canada, of the provinces, that the only people who can do that are the cabinet ministers of the government.

Yet when it comes to their own pay increases, they want to now avoid the Constitution, avoid all the conventions of the British parliamentary system and shuffle that off to someone else. That's what's really going on here. No one else in this Legislature, not even a government backbencher, could introduce a bill or a measure or a plan which requires the expenditure of taxpayers' dollars. The only people who can do that are government cabinet ministers. But this government now wants to shove that off. When it comes to their own pay increases, they now want to shove that off into a back room. They want to avoid the scrutiny of the taxpayers. They want to avoid the scrutiny of our own Constitution, of the conventions of our own system of responsible government.

As I say, this is a basic constitutional convention of responsible and parliamentary government, and it is well recognized throughout Canada and it's recognized in innumerable judicial decisions. The preamble of the

British North America Act of 1867, now the Constitution Act, the words highlighted in the preamble are well recognized as importing all of these conventions into Canada and into our provincial Legislatures. But this government now proposes, when it comes to their own pay increases, to avoid that, to even change that constitutional convention.

Currently, pay for the members of the Legislature is set out in the Legislative Assembly Act. In the past when the government of the day decided to increase MPPs' pay or to change the system of compensation, it had to introduce an amendment to the Legislative Assembly Act, and that process respects the principles of responsible government, that the crown, the government of the day, must accept the responsibility for the allocation of public dollars, for the allocation of taxpayers' money. But this government doesn't want to take that responsibility. They want to avoid that accountability. That's what's going on here: an avoidance of accountability.

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What will happen if this legislation passes? I have to tell the government that, as members of the New Democratic Party caucus, we will do everything we can to insist on lengthy debate on this legislation so that the public of Ontario, the taxpayers of Ontario, understand what is really happening here. We're going to insist on lengthy debate, and we believe this should be subject to public hearings. If the government of Ontario, with the help of the Liberal caucus, is going to now strike out one of the fundamental principles of the constitutions of British parliamentary systems of government, then we think there ought to be public hearings. We think that before such a fundamental step is made, there ought to be public hearings so people across Ontario can fully understand what is happening and people across Ontario can have a say in what is happening.

Again, so people will clearly understand, what the government has in mind now is that instead of having taxpayer accountability, instead of forcing MPPs to say, "Yes, we believe we need a pay increase. We're due a pay increase"—none of that will happen—what will happen is this will all go to a backroom where someone who is unelected, and you may not even know who they are or where they come from, will with the stroke of a pen decide what the pay increase shall be. There will be no debate. There will be no public hearings. There will be no opportunity to question. It will simply be the stroke of a pen and that becomes law automatically.

But just contrast this. I've introduced two private members' bills now to have the minimum wage increased. After having seen the minimum wage frozen for six and a half years, I think there ought to be a debate about increasing the minimum wage. The government won't even allow those measures to come to a debate. I've asked for unanimous consent. I've suggested the government should introduce their own legislation. The government will not even let that issue come to a debate. That's a year-long process. A year-long process cannot get the minimum wage increased, yet the government's

position is that MPPs' salaries, the Premier's salary, cabinet ministers' salaries should be increased behind closed doors at the stroke of a pen, with absolutely no public debate, no public discussion whatsoever. I think you see the incredible imbalance, the incredible unfairness that is being established here and the lengths to which this government will go to avoid public scrutiny and taxpayer accountability when it comes to money going into their own pockets. That's what this is about. That's what this legislation will do.

Under Bill 82, someone who was not elected, someone who is not accountable to the people of Ontario, will simply deliver to the Speaker a report recommending a pay increase for MPPs and then it immediately becomes effective. Keep in mind the government has wanted a 32% pay increase since last summer, and if the commissioner should recommend a retroactive increase, that too becomes automatically implemented with the stroke of a pen. The minimum wage issue, the issue of how much workers who work for the minimum wage should be paid, we can't even get on the agenda for a year, and yet all of these things will be decided by the stroke of a pen behind a closed door with no public scrutiny and immediately will become law. That is what I think is so wrong about this.

I want to say a few words about the issues in general. I have no problem with an independent commission looking at what salaries of MPPs, cabinet ministers and the Premier are. I have no problem with that. As I alluded to earlier in my remarks, though, if there's going to be an independent commissioner who's going to look at these things, then it ought to be part of the design of legislation to say that we should be directly compared with MLAs in other provinces. How can you have a comparative system that has integrity if the process won't even compare your pay with the pay of other MLAs? It seems to me they are the direct comparators, that you'd want to start there in terms of making a comparison, but that's not in this bill. This bill doesn't require a comparison between the pay of members of the Legislature in Ontario and the members of Legislatures in other provinces. That's not part of this bill.

Are there any other parameters that would help? Is there anything here that in the words of the legislation would introduce some accountability, some scrutiny? I regret to say there is absolutely nothing. There are no guidelines, no provisions which would require a fair comparison with other legislators in other provinces, nothing like that. All those things are absent from this bill. This is, in the broadest terms, a blank cheque.

There's something else I find objectionable about this. The person who is supposed to do this is someone called the Integrity Commissioner. The Integrity Commissioner is hired by the members of the Legislature. The Integrity Commissioner is not someone out there who is selected, let us say, by some process of arbitration. No, the Integrity Commissioner is hired by the members of the Legislature.

The Integrity Commissioner is someone who, on several occasions, will have the opportunity to spend a lot of time with members of the Legislature. I don't think that impugns the integrity of the commissioner, but if you want to have a process that is clearly above-board, I think you would want to have someone who stands back, who is not acquainted, who can be objective in every sense of the word, can be independent in every sense of the word, can be neutral in every sense of the word. Someone who is an employee of the Legislature, who is in effect hired by the members of the Legislature, in the most objective examination I don't think can fill that bill of neutrality, independence and objectivity that one should require in this kind of position. In fact, I would argue that what the government has in mind here is someone who is too close, too intimately involved, too familiar with the members of the Legislature and whose employment prospects are too much determined by members of the Legislature.

For people at home, let me give you a bit of history about this. The former Integrity Commissioner, who resigned earlier this spring, resigned because his credibility was called into question by members of the Legislature. He made a decision as Integrity Commissioner. I think he was perhaps unwise in asking for outside advice, advice that clearly was not within the parameters of his job; his integrity was called into question and so he had to resign. In other words, the Integrity Commissioner himself can be subjected to criticism, can be asked and can in effect be impugned by MPPs, and this person, this office is then supposed to make decisions about the salary and benefits of MPPs? I think by any measure that kind of structure lacks the integrity, lacks the objectivity, the neutrality, the independence, the distance that one would want to have if someone were going to be considering these questions.

1630

I think there are other problems here, as well, that need to be identified. Fundamentally, if we're going to look at this as an issue of fairness, I don't see how a government of the day or legislators as a whole can say consistently to people out there, hard-working women and men, people who work in our community care access centres, people who work in the nursing homes and homes for the aged, people who work in our hospitals and our ambulances, people who look after our children—child care workers—teachers, people who work with the associations for community living, firefighters, police officers, municipal workers, many of whom, frankly, have dangerous or very stressful jobs, "You're limited to 2% a year or less in terms of pay increases. You are on a strict diet in terms of your pay," but, at the same time, sanction a process which they know from the context of the last year is designed to reward them with a 32% or 42% or 52% or 62% increase. It simply flies in the face of any sense of fairness, any sense of a just result.

I think that's what the public will find so distasteful about this. A government will consistently say, as this

government has over the last six years, "You are limited to 2% a year. You, the nurse, you, the ambulance paramedic, you, the child care teacher, you, the high school teacher, you, who do such stressful and difficult work looking after handicapped adults, are limited to 2% or less a year." Yet legislators will try to find a way to absolve themselves of that same rule, will try to find a way to, in effect, put themselves in a different category and reward themselves with a substantial increase in pay and benefits. That is what strikes at the public's sense of fairness. At the end of the day, that is what is so wrong with this piece of legislation.

Over the last two years, as the government was making noises about wanting a pay increase, I wondered why, when they announced shortly after the election that the public sector guideline would be 2% or less, they didn't come forward then and say, "To show our good faith, the only pay increase we, as members of the Legislature, will accept will be 2%." I wondered why they didn't do that in the fall of 1999 and then in the spring of 2000 and again this year, demonstrating good faith year over year with the people out there, the broader public of Ontario, those hard-working men and women. Why didn't the government say, in effect, "Well, 2% in 1999 and, again, 2% in 2000 and 2% in 2001"? For members of the Legislature it would have meant a cumulative 7% increase in pay over the last three years, which is not insubstantial. Based on a base income of \$78,000 a year, a 7% increase is not insubstantial. That would bring MPPs' pay up to in excess of \$85,000 a year.

Now I know the reason: members of the government were not interested in playing by the same rules they demand of everyone else out there. Members of the government were not interested in setting an example, in saying to people, "If it should be 2% for child care workers and teachers and nurses, then all we will accept is 2% as well." That was never part of the government's game. That was never part of their plan. From the beginning, their plan has been to say to those hard-working women and men out there, "Two per cent or less," but then to find a way to reward themselves with much more. Again, that speaks to the fundamental unfairness of this.

To give you a measure of the unfairness, we know that since January 1, 1995, the consumer price index, which measures inflation in Ontario, has increased by 13.1%. So in six and a half years, inflation has increased prices etc by 13.1%. Applying that 13.1% to a minimum wage worker who now gets paid \$6.85 an hour would bring a minimum wage worker up to \$7.75 an hour. Simply applying the consumer price index, 13.1% would bring a minimum wage worker up to \$7.75 an hour. Do we hear the government saying the minimum wage ought to be subject to some kind of independent process where an arbitrator or commissioner could look at what's happened to the minimum wage in other jurisdictions, could look at inflation and then make an objective decision? Do we see any move by the government on that side of fairness? As

I say, the increase would be 90 cents an hour for someone working for the minimum wage.

No, government isn't interested in that at all. It's not interested in having someone—a commissioner, an arbitrator, an independent body—look at the minimum wage, look at inflation, look at what's happened to the minimum wage in other jurisdictions and then make a decision. No. When it comes to the lowest-paid workers in the province, they're not interested in that, not for a minute.

For the public record, I want people to know that Ontario's minimum wage has now fallen behind the minimum wage in the United States. If you take the minimum wage now in the United States and convert it into Canadian dollars, it is over \$7.50 an hour in the United States. Over the next year, the minimum wage in the United States is scheduled to go to over \$8.50 an hour in Canadian dollars. If amendments that are now being talked about are successful, it will be \$9 an hour.

Why do I mention that? Because if the government were truly interested in some sense of fairness here, I think they would say, "What's good for the Premier and what's good for cabinet ministers and what's good for backbenchers—if the process of having someone independent look at this is good, then someone independent should also be looking at the minimum wage." "No," says the government. They're not interested in that.

Similarly, we know there is now a nursing crisis in Ontario. Wherever you go, whether it's in downtown Toronto or other large urban centres or small urban centres or northern Ontario or rural Ontario, we are increasingly encountering a nursing shortage. Nurses say—I've heard them; I think all members of the Legislature have heard them—that nurses are leaving the province, going to other jurisdictions, or leaving the vocation of nursing because they simply are not paid enough, given the stresses and strains of the job. They're simply not adequately paid.

If we follow the process the government wants to implement here, I would have thought the government would say, "Let's set up an independent commissioner to look at the increasing volumes of work in the nursing vocation, whether in hospitals or homes for the aged or nursing homes or community care access centres; let's look at the increasing intensity of the work; let's look at how many nurses have in fact left; let's also consider other issues, like the inflation rate; and then let's make a recommendation about what the pay increase should be for nurses."

Is the government prepared to do that? No. In a very short answer, no, the government is not prepared to have that kind of independent thinking when it comes to nurses and the pay of nurses and the fact that so many nurses are voting with their feet and leaving our province or leaving the nursing vocation. If the government believes this process is fair for MPPs, one would think it would want to implement this process for other people out there, for minimum wage workers, for nurses, but no.

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The government was presented earlier this spring with a report by consultants KPMG that indicated that those people who work across Ontario for the associations for community living, that is, those people who work with the developmentally handicapped, are underpaid by 25%. The report—an objective report, an outside analysis—said those people are underpaid by that amount. If you follow this government's logic, given that there has been an independent report, that the report found these people are chronically underpaid across the province, that they receive 25% less than they would if they worked in another comparative sector, given what this government is saying here today, one would think the government would want to put in place a measure to ensure they receive 25% more in pay. Alas no, the kind of rule this government wants to put in place for their own pay they are unwilling to put in place where other objective reports have pointed out that people's pay is far below what it should be. I think it points out the unfairness and the injustice of what this government is doing or trying to do.

Some members of the government, and some Liberals who are in support of what the government is doing here, have asked or want to know what members of the NDP are going to do. I know that members of my caucus work quite hard; they work very hard. I don't expect members of my caucus to come here and work, put in hour after hour, and then take less pay. That's just not on. I don't expect them to somehow say at the end of the day, "If Liberal members and Conservative members vote themselves an increase in pay, I'm worth less than a Liberal backbencher or a Conservative backbencher or, for that matter, a cabinet minister."

I don't expect that of them, but it is our duty as elected members of this Legislature to point out just how unbalanced and unfair this is. The government has set rules for workers across this province at 2% or less; the government has frozen the minimum wage for six and a half years; and now, when it comes to their own pay packet, they want to find a way, a process, a backdoor strategy, to exempt themselves from the same guidelines. It's our duty to point that out. It's our duty to point out to people that it is a breach of the constitutional conventions of the British parliamentary system, that it is precedent-setting, that it is unfair, that it runs totally in the face of what this government said in 1993 and 1994 and 1995 when they were trying to get elected, when they said, oh, so clearly, that members of the Legislature were overpaid.

It's our duty to point out all those things. I won't use the word "hypocrisy," but people out there who have watched the debate, who remember what Mike Harris said in 1993 and 1994 and 1995 and what he's saying now and the distance between them, the distance of \$50,000 a year or \$60,000 a year or \$70,000 a year, and the distance is all a pay increase, people will recognize that for what it is. It's our duty as legislators to point that out. It's our duty as legislators to insist that there be a full

debate on this. It's our duty as legislators to point out that under this government's position, there would be one rule for ordinary people out there but a much different rule for MPPs. I think it's our duty to point out how wrong that would be.

Now, this is a government that, when it brought in legislation on snowmobile trails, insisted that there would be public hearings across the province. This is a government that, when it has brought in other legislation that it was prepared to stand behind, has insisted upon public hearings.

So I just want to say, since this is precedent-setting, since it breaks one of the fundamental rules, one of the fundamental constitutional rules of the British parliamentary system—that is, only the government can introduce legislation which spends taxpayers' money, only the government can introduce and pass legislation which deals with an expenditure of taxpayers' money—since the government here intends to break that rule, to depart from it significantly, I think when such a fundamental step is being taken, the government must hold public hearings. Recognizing the fundamental departure that is being made here, I think the government must hold public hearings.

So I would say to the government that holding public hearings over the summer—if you believe that a week and a half of public hearings on snowmobile trails is appropriate and that the committee should travel to various locations around the province, then I would think, since we're talking about a fundamental departure from a constitutional convention here, that at least two weeks of public hearings ought to be in order. The public hearings should not just be held here in Toronto; they should be held in Ottawa, Hamilton, London, Windsor, Sudbury, Timmins, Sault Ste Marie, Thunder Bay. I'd even like the hearings to come to my constituency, because I think people would like to have a chance to question this legislation. I think they would like to have a chance to ask government members why they think such a fundamental departure from constitutional convention is in order when it comes to their own pay increases. I think people ought to have the opportunity to raise those questions.

Again, if this is a government that believes in accountability—on every page of the throne speech the word “accountability” was used four times. Well, here's an opportunity to be held accountable by the people of Ontario, to be held accountable by the taxpayers, to ensure that the taxpayers are informed of what's happening, are informed of how fundamental this constitutional departure is, are informed how much the process that will be utilized will essentially become a backdoor process and one that avoids all public, legislative and other scrutiny. I think people ought to have a chance to comment on that.

As I said earlier, I don't think anyone has a problem with an independent commissioner from time to time reviewing MPP salaries, MPP benefits and then making a recommendation. But I think people out there would have

a fundamental problem with such an important decision being made in a backroom, because if we follow this fundamental departure from constitutional convention, what will come next? What will come next if the government wants to—this is a government that uses a lot of consultants. This is a government that has consultants that it's paying multi-million dollars a year to.

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Andersen Consulting comes to mind—I believe it's Andersen Consulting. They've actually tried to rename themselves to avoid public accountability, but the Provincial Auditor has come forward three times and pointed out that this government essentially has sweetheart deals with Andersen Consulting. When the Provincial Auditor looks at them, there is absolutely no justification for the amount of public money, taxpayers' money, this government is shelling out to their corporate friends, Andersen Consulting.

What if the next departure is that this government brings in legislation which says that where this government deems a consulting contract to be necessary, it will simply be turned over to an independent commissioner, who then with the stroke of a pen can establish the consulting agreement, how much money will be paid and none of it will be subject to scrutiny?

That wouldn't be such a bigger departure. That would only be an incremental departure from here. It would simply mean that more taxpayers' money would in effect be signed away without accountability, without anyone who is elected, who has to appear in question period, who has to appear before the media, who has to answer questions of all those sorts. It would simply be a way of avoiding all that scrutiny.

Given this fundamental departure, that incremental step would not be that great. I think people across Ontario would want an opportunity, would deserve an opportunity, to scrutinize the government through public hearings and to say to the government, “Now that you're prepared to take this step, now that you're prepared to move spending decisions, the expenditure of taxpayers' money, outside of this Legislature, now that you're prepared to move it beyond public scrutiny, what are the new limits going to be? What's the limitation? What's the rule for limitation?”

If you look in this bill for some sense of what the limitation might be, there is none. This bill is so open-ended, it is so without criteria, it is so without any objective standards, that it would be very easy to see this or some other government saying, “We got carte blanche on that bill. We got carte blanche on the MPPs' pay increases bill. We can do it again.”

I think that people, the taxpayers across Ontario, deserve to have a say in that fundamental departure before this government uses its political muscle, along with help from Liberals, to force it through this Legislature. My sense is that they want to force it through the Legislature with virtually no scrutiny, with virtually no public debate, and certainly without public hearings. If I have listened to the comments, if I have listened to the

scuttlebutt that's going on around here, I would say that's the plan.

Such a bill, which provides such a fundamental departure, has to be subject to public hearings, and a whole lot of issues, many of which I haven't had time today to describe or go into, could be and should be raised. I expect there might be a few constitutional scholars who might want to come to public hearings and to raise whether what this government is trying to do has constitutional validity at all, or they might want to come to the hearings and raise their worries, their concerns, about how a government such as this that is trying to avoid accountability here, that is trying to avoid public scrutiny here—what potentially might be their next step.

We insist on full debate and we insist on public hearings. This is a fundamental departure in Ontario.

The Deputy Speaker (Mr Michael A. Brown): Questions and comments.

Hon Mr Klees: I'm pleased to respond to the comments made by the leader of the third party. I find it interesting that the leader of the third party is insistent there should be hearings on this bill. Had we had hearings at the time he made the call to the Premier just following the 1999 election, when one of the first calls the Premier had was from the leader of the third party pleading that we change the standing orders of this House to give his party official status—that resulted in millions of dollars of cost to the taxpayer—I suggest to you that had we had hearings on that at the time, the people of this province would have overwhelmingly rejected that, because they overwhelmingly rejected the third party during the election. We said we would grant them that right.

You know, it's typical that the leader of the third party would suggest in this House today he is justified in pontificating this self-righteous position. I would ask that the leader of the third party in his response, which he'll have in a couple of minutes, stand in his place and do the right thing then, to be consistent at least, and tell this House and the people in Ontario that if any increase is recommended by the commissioner, he and his wife will reject it, they will not take it, because they are so justifiably enraged at this process. I would urge him to do that. I will be listening very closely for that commitment to the people of this province.

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): Like other members of the House, I am reluctant to stand and say anything. But in fairness I want to reference the by-election campaign I was involved in less than a year ago.

This very question of the salaries of MPPs and MPPs' staff and related issues came up. I said publicly at the time that I was very strongly of the belief that the process was wrong, that political people ought not to be put into a direct, prima facie conflict of interest by having to debate and vote their own salary increases, that that lacked integrity. I said that publicly, and I indicated publicly that the only thing I would support would be a fair, impartial, independent process that would take it out of the hands of

elected political people and put it in somebody's hands—I didn't much care whose hands—who could review the issue with a sense of objectivity and fairness and make recommendations.

I suggested at the time that I thought it would be helpful if every elected person signed off in advance that whatever recommendation came back, if there was ever going to be a vote in the House, be it for an increase or a decrease, they would simply agree to that in advance.

I want to just note a couple of things that I think perhaps have been missed here. I'm not sure, but let me just put them on the record. There is no requirement in this bill, as I understand it, that the Integrity Commissioner do this. The Integrity Commissioner may well decide he or she has other things to do. There's also no reference I'm aware of in the bill that would preclude the Integrity Commissioner from deciding to hold public hearings if he or she chose to do that as well.

Mr Peter Kormos (Niagara Centre): I'm pleased to join this by way of this two-minute question and comment, and I'll be pleased to join the debate, if the government permits it, for my modest share of the time. I'll be using the maximum amount of time available to me, which regrettably will be but 20 minutes.

What I find amazing, watching this chamber this afternoon, is the silent collaboration in pushing this through the Legislature in as swift a time frame as possible.

I don't agree with the proposition that politicians should be relieved, because of some conflict of interest, of accepting responsibility for setting their salaries. I quite frankly think the referral out is something of a cop-out.

My colleagues in the NDP caucus work hard; they work darned hard. I have no hesitation in saying that. They work incredibly long hours, and they're incredibly committed to their constituents, to this chamber and to their roles. But at the same time, they, as responsible people—for instance, New Democrats have voted on every single budget the Tories have offered, and I tell you we've been consistently opposing those budgets. Yes, MPPs' salaries are at a sufficiently high level that we are just beginning to be in that income range where we are the greatest beneficiaries of the tax cuts Mike Harris has imposed. That wasn't perceived as a conflict of interest then. So I say to my Liberal colleagues, why isn't it a conflict of interest when you don't remove yourself from voting on tax cuts you may or may not benefit from?

Yes, we New Democrats believe we have to accept responsibility for the salaries we set for ourselves, that it has to be done responsibly, that you can't cop out by sending it out and that it's a shame to rush it through this House at the accelerated pace that's happening this afternoon.

1700

Hon Brad Clark (Minister of Transportation): It's a bit of a shame that we now find ourselves in a situation where, if I'm following the debate fairly, all parties here seem to agree that an independent body should make the

decision. I listened very carefully to the debate. Perhaps the member from Niagara disagrees with his own caucus, which is not unusual, but the reality is that everyone seems to understand that taking it outside the realm of this Legislature and allowing someone else to make that decision is a fair decision.

The member for Ancaster-Dundas-Flamborough-Aldershot is absolutely correct in his statement that he was very clear, unequivocal and on the record that it should be a different process. I, myself, going many years back, have looked at municipal pay raises and asked the same question as a community activist in my own town: why was it that municipal politicians were making the decision about their pay raise shortly after an election? It seems to be an ongoing thing that occurs across the province. Why is it? Some municipalities have found ways and means to make the decision outside their realm so that it just occurs on an ongoing basis.

In this place, we seem to have come across an agreement that if the Integrity Commissioner—incidentally, for the people who are watching at home, the Integrity Commissioner is responsible for maintaining the integrity of this place. The Integrity Commissioner says when we are in conflict or not. What better person for the legislators to pass that responsibility to than the Integrity Commissioner for the province of Ontario? I think it's fair. I think it's reasonable. I think it removes it from our hands and allows someone independent of us to make that decision for us.

The Deputy Speaker: Response?

Mr Hampton: I want to correct the misconception of the member for Stoney Creek, the Minister of Transportation. No one in this Legislature would object to having an independent body review and make recommendations about MPPs' salaries and benefits. I don't think anyone would object to that. I wouldn't object if that happened and there were some criteria set out within the legislation. I said, for example, that one of the first comparators ought to be what MLAs in other Canadian provinces are paid. That's a direct comparison. If the government brought forward such legislation, I think that objectively most of us here could agree with it. What I object to is legislation that has absolutely no criteria to it. Through the context of what the government has tried to do already—a 32% pay increase, a 42% pay increase—we know what they're up to and that they now want to do this with a stroke of a pen.

I've got no problems with having someone independent do the analysis and make a recommendation. But at the end of the day I think we have to continue to be held accountable. You can't say to people out there, "You're limited to 2%," and then subscribe a 42% pay increase for yourselves.

I would just say to the chief government whip, I remember the conversation with the Premier somewhat differently. I phoned to congratulate him on election night, and he said, "You know, we have decreased the size of the Legislature by a certain per cent; we are going to decrease the numbers needed for quorum and we're

going to decrease the numbers as well proportionately." That was your Premier speaking, and you ought to talk to him about it.

But I would say further—

Hon Mr Klees: Are you going to take it?

Mr Hampton: I'll make that personal decision after we have finished—

Interjections: Shame, shame, shame.

Interjection: Have the courage of your convictions.

The Deputy Speaker: Further debate.

Mr Bisson: I get but a mere 20 minutes in order to comment on this. This is actually not the straight up-and-down issue that people would like to make it, because it's related to a number of other issues, and I just want to set that out.

First of all, I have difficulty in throwing this whole issue off to the Integrity Commissioner and allowing the Integrity Commissioner after that to make the entire decision without any kind of a comment from the Legislature, from the people who make the rules of this House and make the laws of this land; I do have a problem.

I don't have a problem referring it out so that they can come back with an opinion, but certainly, if the Legislature of Ontario, as the federal House of Commons and as all other Legislatures across the province, is able to pass laws that decide everything from how much money we should spend as a Legislature on various spending areas within our responsibilities such as education and health care, certainly we should be able to make a decision as legislators, if we think it is reasonable, on what is being recommended to us by an outside source, be it an Integrity Commissioner or an outside committee of some type. I don't believe that we should be getting rid of our responsibility altogether. I think that leads to a whole bunch of issues that I feel somewhat uncomfortable with.

I want to say also, at the outset, I don't mean to and I don't want to devalue the work we do as legislators. I think that has happened far too often in this House, not only in this session but in sessions before. I remember Mike Harris, when he was the leader of the third party, going out there and saying that the gold-plated pensions that members were getting in this assembly had to be scrapped, and how he tried to demean all of the legislators who were at that time sitting in the Legislature, between 1990-95, and how he campaigned on that issue.

I remember the 18-wheel truck sitting in front of the Legislature a mere month before the campaign started in 1995, in May of that year, where Mike Harris put an extra 31 or 33 seats on top of that truck, saying, "Let's get rid of all those other politicians. They're no darned good. We've got to get rid of them."

I don't want to participate in a thing that sets out to devalue the work we do as legislators, because I believe that the work we do here is important and I do believe it's valued. But I have difficulty with a few premises that the government is coming to us with by way of this bill.

The first one I have set out: I don't believe we should absolve ourselves of the responsibility that I think is

incumbent upon us to make a decision, as legislators, by a vote in this House, either by a whip vote or by a free vote—I would argue a free vote—that basically says how much we should be making. If we feel strongly as legislators, as people who vote in this House, that we deserve 10%, 15%, 2%, 30% or 35%, whatever that figure might be that comes back, we should have the courage to stand up in this House and we should either vote for or against. I think we at least deserve that and we deserve to do that for the constituents across the province of Ontario, not only your own riding.

I would suspect that many people in Ontario agree we should get more money. I don't argue that for a second. I note there was an article in the Timmins Daily Press last week that I got a chance to read—somebody pointed it out to me—basically where they did a streeter and they said, "Do you think MPPs should get a raise?" Much to my surprise, five out of six people who were polled said yes. Of course, that's not scientific; that's just a person with a camera on the street corner from the daily press asking the question, but I think it does indicate there are people out there who believe that we do work hard and deserve whatever money we get.

I don't want to argue that we as members should take a step back or we as members should flog ourselves on the back or we as members should somehow beat each other up because we do this as a job. I believe the work we do is valued, I believe it's important that we do it well, and I believe it's important that you pay people well in order to attract candidates who are willing to run in provincial elections who can properly represent their ridings.

I know many people who've come to this Legislature who have taken cuts in pay to get here. I was one of them. I worked at the Ontario Federation of Labour, and when I first came here I took a reduction in pay.

But I have great difficulty with where the government is going today. Now, I was part of the Bob Rae government, 1990 to 1995. I was part of a government that had to go to the people of Ontario, by way of the social contract, by way of budget compression, and say that we had to find a way "to tighten our belts" so that we could manage better with the money that was coming in. Here we were in the middle of a recession that started before we got to office. In fact, the Liberals, the Peterson government, had run in 1990, if you remember, saying that they had a surplus. We got elected, opened the books and in September of that year the deficit actually had accumulated to almost \$4.5 billion. Annualize that deficit at the end of the year, when you looked at the whole thing, and it was closer to \$9.5 billion.

1710

So we as a government had to go to the people of Ontario and say, "We will do three things. We will hold the line on spending. We will not only hold the line but we will reduce by a percentage the budgets to municipalities and to a number of other agencies and ministries across the province." And more importantly, we went to workers and said, "You have to find a way to

save within your collective agreements a percentage of money," and that was called the social contract.

I was a member of the opposition after Mike Harris got elected in 1995 and went out and slashed all kinds of budgets across the ministries of the province of Ontario. Health care has been slashed to the extent that they are creating the crisis that was referred to by Mr Snobelen by way of a backdrop to be able to privatize much of what we now have in our health care system that falls under public control. They went to workers and said, "You can't expect to get raises. In fact, you've got to hold the line on your expectations when it comes to bargaining." We all remember the OPSEU strike—I believe it was in 1996—where OPSEU members were here en force petitioning the government in order to do away with the policies that they felt were wrong when it came to the pressure that was being put on them to hold them to an almost 0% increase when it came to their collective agreements.

I think it's wrong that the government of Ontario has decided that people who work for minimum wage should not get an increase to the minimum wage. The last time the minimum wage in this province was increased was by the New Democratic Party, which increased the minimum wage by 34% in our time in office. That's something I'm proud of as a New Democrat. And we did that during a recession. But since 1995 we've been calling on the provincial government to complete the work that we had started by trying to give some equity and some fairness to wages for workers who work at minimum wage, who are mostly younger people and women and immigrants, who are having a difficult time being able to survive on the minimum wage that they're receiving.

We've introduced, I believe, at least three bills, maybe two, by way of our leader, Howard Hampton, and by our critic through the Ministry of Labour asking the government to increase the minimum wage. We've held two campaigns on that internally—not provincial campaigns by elections but campaigns calling on the government to increase the minimum wage, and on every occasion the provincial government has come back and said no. They have said it is not right for workers to get an increase in wages, because they feel that would be somehow a bad thing to do for whatever reason. So I say to the government across the way, if you're telling the minimum wage workers that they should not get an increase, you're telling government workers they should hold the line on their expectations in bargaining, then how could it be right for us as the people on the top, the people who make all the decisions, to take a large increase in our wages? Again, do we deserve it? Probably. Most definitely, we deserve it. But the issue is, is it right to do in light of what else is going on within the province of Ontario?

As many of you know, in the last week or so I've not been in this Legislature. I was attending, first of all, the funeral for my father and, last week, doing some work with the family in order to straighten things out for my

mom and the estate of my dad. But from comments I've heard from people in the community on the weekend when this issue came out, I'm pretty clear what I was told by the constituents within my communities. They're saying, "Gilles, we believe you work hard. You're valued for the work you do and you should be paid properly. But I haven't had a raise in six years," or "I haven't had a raise in 10 years," or "I've had a mere raise that has not even kept up to inflation over the last number of years."

"I find it objectionable," said the constituents, "that you as an MPP should get a raise while I've had to hold the line because you as an MPP, by way of this Legislature, have been telling people they should be keeping their demands to a minimum." I agree with them. I believe that if we're bold enough in our vision to think that people should make more, we should be trying to do something to provide equity when it comes to wages to employees out there in both the private and public sectors. I think this government could do itself a service, and I believe this Legislature could do a service for many people out in Ontario, if we were to come in and say, "Listen, we're prepared to take a look at referring out to some sort of committee what the proper minimum wage structure should be, and once we get that tabled back in the Legislature by way of maybe a report from whomever we refer it out to, we would then be able to vote on what we think is a reasonable increase for the minimum wage workers out there who are working at the very bottom of the economy when it comes to the amount of salary that they earn." I think that would be fair. For us to do something at the time that other people have had to do without I think is difficult to take.

I also want to say that I clearly understand why a lot of this is being done. Members—and this goes for opposition and government members, especially the government members—are feeling rather raw at having lost what was termed the "gold-plated pension." Mike Harris campaigned in 1995, demeaning politicians and demeaning everything that we do, and one of the ways he did that was to get rid of the pension. Now he's boxed himself into a corner and can't bring back the so-called gold-plated pension that members used to get around here—I would argue that it's not as gold-plated as people made it out to be—and that people are having to figure out a way to be able to make up for some of the income lost by way of retirement years by way of that pension.

I think these two issues are not all related but somewhat related, and I understand why government members and why some opposition members are feeling that the government needs to do something to address the wages of members. I just want to say again—and I want to say this as calmly as I can without using a huge amount of rhetoric and without demeaning the role that we have as members—I think that we should lead by our example. I think for us to say to the people of Ontario, "You shouldn't get a raise for X, Y or Z, but it's OK for us," goes a long way to irritating the voters of Ontario. I think at the end we need to recognize as legislators, as we

normally do in this place, who we answer to, and that is the voters out there.

Je veux dire simplement que ce n'est pas toujours facile quand ce type de débat vient à l'Assemblée législative, parce que quand on parle de nos salaires comme députés de cette Assemblée, il est difficile de se lever et dire, « Oui, on est du monde qui travaille fort. Oui, on a de la valeur. On doit avoir la valeur de l'ouvrage qu'on fait. » Mais je veux dire très clairement à ceux et celles qui écoutent ce débat et aussi aux membres de cette Assemblée qui, je pense, écoutent ce débat, qu'il est très difficile de faire accepter par la population ontarienne que les députés provinciaux vont recevoir une augmentation de salaire ; je ne sais pas de quoi. Ça peut être de 5 %. Ça peut revenir à 20 %. Ça peut revenir à la même base que celui des députés fédéraux. Je ne sais pas où ça va revenir, ce rapport. Mais je pense que c'est difficile de faire accepter par la population quand un gouvernement dit, sur une période de 10 ans— premièrement, le gouvernement de M. Rae, et après, le gouvernement de M. Harris— qu'on doit prendre des compressions budgétaires dans nos budgets provinciaux à travers tous nos ministères, qu'on doit prendre des contraintes quand ça vient aux négociations avec nos employeurs dans le secteur public et le secteur privé, qu'on ne doit pas donner une augmentation aux travailleurs et travailleuses qui se trouvent au salaire minimum, et que, en même temps que le gouvernement dit tous ces affaires-là et qu'il met en place des politiques et de la législation dans cette Assemblée disant qu'on ne doit pas accepter des salaires augmentés par plus d'un tel pourcentage, le gouvernement peut arriver avec un projet de loi et dire, « On va donner à quelqu'un l'habileté de nous donner une augmentation de salaire, » dont on ne sait pas le pourcentage.

Je pense, comme on dit en français, que la population nous regarde et dit, « Écoutez, les boys, les femmes. Ça prend beaucoup de culot, ça. Ça prend beaucoup de culot de nous dire que nous, on doit prendre des compressions, des contraintes sur nos salaires, et vous autres, les boss, allez prendre une augmentation. »

C'est un peu comme, par exemple, les grosses compagnies à travers la province et au Canada où que le CEO, la personne responsable pour la PME, dit, « Moi, je veux avoir de la gestion de la compagnie l'approbation de donner à cet individu et à certains dans la compagnie une augmentation de salaire de 30 %, 40 % ou 50 % », et les travailleurs, eux autres, essaient de négocier une entente collective et se font dire, « Ah, non. On n'a pas d'argent. »

Je peux penser à beaucoup d'instances avant de venir à l'Assemblée législative où j'étais, comme M. Harris m'a appelé, un grand union boss. J'ai travaillé pour les syndicats de métallos et pour la Fédération du travail de l'Ontario, où on a essayé de négocier des ententes avec des compagnies, et les compagnies nous ont dit, « Ah, non. On n'a pas d'argent. Mets ça à table. C'est très difficile. Vous comprenez, notre entreprise n'est pas aussi rentable que vous croyez, vous les syndicalistes.

Vous demandez beaucoup trop. Vous demandez combien, 3 % et 3 % ? Mon Dieu, c'est bien trop. » Et tout à coup, nous autres, on se trouve dans une situation où on essaie de négocier, puis on se trouve dans une situation d'aller en grève pour essayer d'avoir 3 %. À la fin de la journée on accepte 1 % ou 1,5 % chaque année sur une période de deux ou trois ans, et la compagnie nous dit, « Non, c'est trop. Prenez-en pas plus. » Là, on ouvre les journaux après les négociations et on trouve que le chef de l'entreprise s'est pris une augmentation de 40 %.

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Je peux vous dire que les travailleurs dans ces instants deviennent très agités, deviennent très fâchés et ne comprennent pas pourquoi à la table de négociations l'employeur a dit une affaire aux travailleurs et une affaire complètement inverse aux patrons de l'entreprise. Je pense que les deux situations où on se trouve, c'est un peu la même affaire. C'est nous, les législateurs et législatrices de cette province, qui nous trouvons les boss. C'est nous qui sommes en charge de la province de l'Ontario. Ça fait 10 ans ; ça fait même plus que 10 ans : ça fait 12, 13 ans qu'on dit aux secteurs public et parapublic de la province, « Vous avez besoin de vous serrer la ceinture. Vous avez besoin d'avoir des restreints quand ça vient à vos demandes, aux demandes pour les salaires que vous essayez de négocier avec vos employeurs. » Là, nous donnons des directives à nos négociateurs de vraiment mettre, comme on dit, un restreint à ces négociations, et ce monde-la, sur une période de 10 à 12 ans, se trouve sans augmentation à beaucoup d'instants. En certaines situations ils ont pris des reculs ; en d'autres cas ils ont eu des augmentations qu'ils étaient à peine capables de garder avec l'inflation.

Là, ce monde regarde ses patrons ici à l'Assemblée et dit, « Bien, voyons : vous autres voulez avoir une augmentation ? Quel culot, voyons. À quoi vous pensez ? Vous n'êtes pas capables de nous dire, sur un bord, « Ne prenez pas une augmentation dans le secteur public, » mais on prend une augmentation quand c'est nous ici à l'Assemblée législative de l'Ontario.

L'autre affaire que je veux dire très clairement : c'est très important qu'on reconnaisse ce point. Le gouvernement essaie de nous faire croire que c'est important que nous, les législateurs, on rejette l'autorité qu'on a présentement d'accepter combien va être notre salaire. Juste à ce point, il a toujours été l'Assemblée législative qui a fallu avoir l'approbation pour être capable de décider du salaire que les députés doivent être capables de gagner dans leur emploi. Le gouvernement dit, « On va donner ça à quelqu'un d'autre. Cette personne va faire une décision, une étude, un rapport. À la fin de la journée, on va fermer nos yeux puis on va dire, "On accepte ; pas de problème. C'est quoi ? Oh, 60 %. On est donc contents." »

Je ne crois pas que c'est correct qu'à ce point-ci on donne cette autorité directement à quelqu'un d'autre sans que nous, premièrement, ayons une vote sur la recommandation, parce que quoi qu'il arrive, ça peut

nous mettre dans une situation très précaire. Imaginez-vous si M. Evans revient et dit, « On va vous donner la parité avec les députés fédéraux parce que vous avez les mêmes circonscriptions, vous avez le même nombre de personnes dans vos comtés, vous faites le même ouvrage. On va vous donner la même affaire. » Je peux vous dire, ça va être chauffé dans nos bureaux. Le monde va dire, « Voyons, quel culot : une augmentation de bien proche de 60 % n'est pas acceptable. » Je pense que c'est important que ce vote revienne à l'Assemblée, si c'est la recommandation, et que nous comme députés, on se lève et on se prononce soit en faveur ou contre cette augmentation.

Je vais dire une autre fois à la fin de ce débat : je ne veux dire d'aucune manière que les députés ne travaillent pas. Je ne veux pas jouer la politique avec la question de combien les députés doivent recevoir pour l'ouvrage qu'on fait, parce que c'est vrai que tous les membres de l'opposition, comme les membres du gouvernement, travaillent très fort et sont responsables. Ils travaillent de 14 à 16 heures par jour, sept jours par semaine. Ça, on le comprend. Mais tout cela dit, je pense que c'est important que nous donnions directement un exemple à la population ontarienne et non qu'on commence un discours ou qu'on dit une affaire au secteur public et que nous avons des règles qui sont différentes pour nous.

Avec ça, monsieur le Président, j'aimerais vous remercier pour ce temps à ce débat.

The Deputy Speaker: Questions, comments?

Mr Doug Galt (Northumberland): I was interested in the comments made by the member for Timmins-James Bay. I find it a little difficult to understand why he doesn't consider it fair if there's a third party that looks at this, such as the Integrity Commissioner. I can't think of a better person. There probably could be other third parties—but a third party who would look at it objectively.

I remember the member commenting, thinking that of course we all have an inflated value of our worth, but just a short comment: I don't remember the third party objecting back in the summer of 1999 when they didn't have official party status. There were nine elected; they needed 12 for party status. With each one of those positions, whether it was House leader, whip, critic, and particularly the leader of the party, all got significant increases because of position. I'm a little disappointed in the member from Timmins-James Bay not recognizing the kinds of salary increases they lobbied for in the summer of 1999, which was automatic once they had party status.

Mr David Ramsay (Timiskaming-Cochrane): If you'd allow me, Mr Speaker, what I'd first like to do is to express my condolences and the condolences on behalf of the Liberal caucus to the member from Timmins-James Bay for the loss of his father 10 days ago and say that we welcome him back to the Legislative Assembly.

On the issue before us, I'm glad, finally, we're having this debate, because for years that I've been here, politicians have gone through the angst of how do you set

your own salary. It's very unseemly, and the public really has a terrible sense about politicians setting their own pay. I can't think of any other group or individual in society that really has that power. Even the most powerful CEO of the biggest corporation in the world still has a board of directors that sits before her or him before that final decision is made, and yet politicians can stand up and vote themselves increases, as we've seen as of late in Ottawa, of any percentage they see fit.

How does one value one's own self-worth on the job? It is very, very difficult. And, really, everyone, including politicians, should have somebody who makes that assessment as to what the job is worth. I don't know what the job is worth and I am very, very comfortable with this type of system of having some independent arbiter set the value of the job. I think that is something that I as a politician can have faith in and I would certainly hope that the general public could have faith in, because I wasn't put in a position of conflict of interest in deciding what I'm worth. I don't think that's the right thing to do, and probably because of that uncomfortableness, we have undervalued our work in this place.

I think this is very timely, and I support it.

Mr Kormos: You see, the problem, I say to the member for Timiskaming-Cochrane, is that there is no debate. The Liberal members aren't participating in the debate. The Conservative members aren't participating in the debate. I know what the agenda is: the agenda is to accelerate this through the Legislature, and I find that truly amazing, especially when I look at the haste with which other opposition members condemned the independent commission's recommendation of a 33% salary increase back in the year 2000. Why, Hamilton East MPP, Mr Agostino, said, "I think it's an absolutely gross amount. It's nothing short of obscene." The member for Hamilton Mountain, Liberal MPP Mrs Bountrogianni, said, "I think, given all of the other problems we have right now, we shouldn't even be considering this. It's almost disrespectful to talk about it."

So you see, they had no hesitation in addressing the issue of whether a proposed increase was adequate, excessive, or outrageous, gross, obscene. What is amazing is the speed with which this bill is being accelerated through this House, and how that's being done is by virtue of Conservatives not speaking to the bill, by virtue of Liberals not speaking to the bill so that it accelerates the debate so that the mere nine New Democrats have exhausted all of their speaking positions and the bill has to go to a vote. I don't find that a debate. I tell you it is a clear collaboration between the Liberal caucus and the Conservative caucus in an effort to grease this up and slip it through.

I agree wholeheartedly that this is a bill that could very well go out to committee, a bill that should very well go up to committee. Why the Integrity Commissioner? Why not pick a panel of a disabled person and a senior citizen and a single mother and a northern miner?

Why not pick them as people to consult about how much we should be earning?

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Mr R. Gary Stewart (Peterborough): I am pleased to stand and make a couple of comments on this bill. It was interesting. The member across in the opposition made a comment about what is the value of my work. I've been in business all my life and I guess I never asked anybody for a raise. If I could afford it and I had balanced my budget and my business was relatively profitable, I would look at what I was doing and give myself a raise. But that's a little bit different than when you're working for the public sector. I believe that makes it very difficult for any of us to value our work. It's difficult to value our work because really we have no set hours. We don't work 8 to 5, we don't work five days a week, we don't have two or three months off every summer where we can just go and do as we want. So to me it is very difficult to gauge the value of my work.

It's interesting, though, that when our government discontinued the gold-plated pension plans, I didn't see any of the NDP wanting to give them back or wanting to give them to charity. Some of their members at that particular time got major, major, major dollars, but certainly took them and smiled and away they went.

There's an old saying that if you're going to call the kettle black, you want to make sure yours is really shiny. So I have difficulty in some of the comments that are being made by those who are against having a very neutral and unbiased person take a look. He may come back and say we should all get a reduction. Well, that's what we've asked him to do. If it's a moderate increase, then that's also his decision.

The Deputy Speaker: Response, the member for Timmins-James Bay.

Mr Bisson: First of all, to the member for Timiskaming-Cochrane: I want to thank him for his sympathies for my dad's passing. Mr Ramsay would know of our time that we spent together out at the Adams mine fight, where we were together, the people from Timmins-James Bay, the people from Timiskaming, the people from Danforth, my good friend Marilyn Churley and others who were fighting that fight. I know my dad would have got a real kick out of that. It was certainly a worthy battle and one that we also managed at the end to have some fun with. I know he would have appreciated that.

I just want, in the time that I have left, to be clear to the members in what I'm saying through my comments here. I don't want to attack members' integrity. I don't want to attack what members are paid. I don't want to devalue what members are worth. We've seen, for example, the debate in this place prior to 1995 when Mike Harris ran on a campaign that he was going to get rid of all those gold-plated pensions, he was going to throw a whole bunch of politicians out of work because we're all a bunch of rascals, we don't deserve what we get and somehow the work we do is undervalued in this place. I remember those debates and they were hurtful,

because I know, as you know as members, we work hard. The problem I have with this debate is, I have a hard time in trying to accept that we should give an independent person the ability to set our wages, knowing full well that that recommendation is probably going to come back with a significant increase, in light of minimum wage workers who have not had an increase in six years, workers in the public sector who have had zero per cent increases in 10 years in some cases—in some cases a reduction or a very minimal increase—and people in the private sector who have been trying to negotiate collective agreements for the last 12 years to no avail. As we are the people in charge of the bank of the province of Ontario when it comes to the budget, I just have a difficulty with our having a different standard when it comes to setting our wages as compared to what happens out there. That is strictly my point; not to devalue what we do as workers.

The Deputy Speaker: Further debate?

Ms Churley: I took great pleasure in hearing your speech before you had to take the chair and become neutral. I'm not suggesting for a second that you aren't neutral, because I sat in that chair and I remember having to do that on occasion. It's a very weird feeling to get up and make a speech and then suddenly change and sit in the chair, where truly you do become neutral, don't you, when you sit up there on that throne, because you have to.

I listened carefully to your speech and I'm listening carefully to all the speeches that have been made on this issue. It's an opportunity for us all to do a little concession here and a chance to talk, because we rarely get the opportunity to tell the people out there how hard we work. Lots of people don't think we work hard, and let me indulge in that for a moment as well, because I think most of the people we work closely with know how hard we work and how hard indeed our staff work.

Perhaps when I first ran for election I had no idea what I was getting into, and that's probably true for all of us here. David Reville tried to tell me when I took over from him at city council, and then here, but I didn't really listen.

Mr Kormos: You mean he called?

Ms Churley: Yes, he called here.

You have no idea until you get into the job what's involved, but I still consider it an incredible privilege to be here; I do. I think we all must feel that. The people in my riding, despite the fact that New Democrats got, shall we say, thrown out in 1995 and were reduced to even fewer members in 1999—my constituents value my work and value the work that we do together enough to bring me back to this place to represent them. I consider that an incredible honour and privilege.

Sometimes, because we are into self-confession here, I work pretty well seven days a week. One of the advantages, I suppose, or you could say disadvantages, in representing a riding this close to the Legislature is that I'm expected to be at meetings every night of the week and I'm out and about all weekend. Sometimes it's

difficult. I have a family and, like many others here, I don't spend enough time with them. I have a family life, as we all do. We have, as Gilles Bisson has just experienced, tragedies in our families, which I personally as well went through very recently, and we try to balance all of those things. We don't talk about those things publicly because that's not what we're elected to do, and we try to support each other when these things happen.

Yes, we all do work hard, and there are times when I feel that I couldn't get paid enough for the work, the hours, that I put in. But then I remind myself time and time again the trust that people put in me when they continue to re-elect me and the faith they have in my integrity and my honesty and my ability to go out and do my very best to represent them and their interests.

I guess what I'm doing is trying to set the table here in terms of, we all understand how hard most of us—there might be a few slackers; I don't know who they are, but I know I work hard and I know most everybody here on both sides of the House does. I, like others, have no idea how much I'm worth in terms of money. I suppose if you narrowed it down to dollars per hour it probably wouldn't be that very much, if you want to look at it in terms of hours.

I see Jim Bradley has entered the House, and he loves to speak. I'd love to hear what he has to say on this, actually, the member for St Catharines.

Anyway, I don't know how much I'm worth. I know the Liberals in Ottawa just recently increased their pay. I have the same riding as the federal representative, Dennis Mills, who's now making up to about \$130,000, I believe. I'm not independently wealthy, as some members in here are and as some of the federal MPs are. I am a single person, I have one income, but I still can't complain, compared to a lot of people out there, and I'm not complaining. A day doesn't go by when I don't have enough money, and I did go through a time in my life as a single parent with a very low income when I did have to struggle to make ends meet, when I couldn't afford to buy new toys for my child at Christmas. I never went hungry and I always could pay the rent, but I was one of those who did go through a period in my life when I lived in poverty. I feel that, for me, the opportunity to be making enough money to pay my mortgage—I have my own house. I call it "the hovel," but I have my house—

Mr Bisson: Hovel?

Ms Churley: Yes, my very nice hovel. I can pay the mortgage on it, I can pay the expenses of my car and my bike, I can buy any food I want to buy, I can travel and visit my mother, I can visit my siblings, I can take holidays—I can do all these things.

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I suppose it's a matter of perspective: where you came from and what your goals in life are. I personally feel that I am making enough money to get by on and to occasionally help my son and daughter to get by. My son has tremendous costs, bills to pay left over from graduating from university. I'm sure he'd like me to help him more, but I like from time to time to be able to help him

and to help my daughter, who has a little boy. That's part of what I think I'm making money for. That's what it's all about, to be able to be in a privileged position, to be able to live comfortably and help the people I love whenever I can.

I don't know how much I'm worth, but I will say this: I'm a human being. I said this earlier in the two-minute responses and people from both parties, the Liberals and Tories, yelled at me as though they had me: "Well, are you going to take it if this goes through?" I said, "Yes, I will." I will because I am an elected member in this Legislature and I absolutely refuse to take less money than any of my colleagues in this place.

What I would like, however, is a process where at the end of the day, hard as it is, uncomfortable as it is—because it is very uncomfortable, we would all agree. That's why this thing is being rushed through so quickly. We don't like talking about it. There's no way to talk about this in a comfortable way. But I think we should. If we're going to do it, I think we have a responsibility to stand up and have a debate about it, and at the end of the day have a vote on it. We have that responsibility in every other money bill that exists, that we have to stand up and be counted.

I understand where the government is coming from on this, I really do. I am perhaps going to be kinder about it than some of my colleagues, the member for Niagara and perhaps some others. I understand the discomfort. Let me be a little bit mean here for a while and recall to the members the Common Sense Revolution document that we had held up like this—remember this?—so many times when we, the NDP, were sitting over there. Of course we didn't even have the luxury of thinking of a salary increase. In fact, we had to have a salary deduction because we went through a very difficult recession, a recession, may I add, where we made the choice to invest in people. We didn't reduce welfare recipients' rate of pay, we continued to raise the minimum wage and we continued to try to keep our communities afloat during that period of time. Then, yes, it worked.

Part of the way your Common Sense Revolution worked is because you said you were going to cut the rates for welfare recipients. You also said you were going to cut MPPs. Overall, your leader at the time and certain members of your caucus made a great deal, a big deal, out of the fact that we weren't worth as much as we were getting, that there should be fewer of us, that we didn't work hard enough.

Hon Mr Klees: We never said that.

Ms Churley: Sure, that's what was out there at the time and it was used in a very cynical way to demean our profession which, God knows, didn't need much help, the way people feel about politicians these days. You're the ones—and forgive me if I'm a bit cynical, therefore—who made a big deal about cutting politicians and cutting our pay. May I say, I didn't have the opportunity to opt in or out then. It just went through the way the government wanted it to go through.

But I understand the discomfort, because you started this process to help you get elected and then, after the fact, realized that you had made a mistake, that it did devalue MPPs and that, not surprisingly, many of your members want to make more money. It's as simple as that. We know that over the past several years there have been numerous attempts to get both opposition parties to agree to some kind of increase and it just didn't happen and there was public outrage about it. So, I understand what's going on here, and I even have some sympathy in what's going on. It's a very uncomfortable thing to debate, and when it's out there, people aren't very happy about the idea that you're trying to increase MPPs' salaries, especially by the gross amounts that have been discussed earlier.

Certainly I understand, with the increases that recently happened in Ottawa—I know I'm out at public meetings every night, and I don't see my federal member at any of the events I attend in my community. That is a fact; it is a reality. I don't know what he's doing. I'm sure he'll read this Hansard and call me up and tell me what he's doing, but I don't see him out in the community. One thing I will say for the federal Liberals in this case is that they at least had the guts to just be upfront about it and say, "We're going to do this," and have a vote on it in the House of Commons. I believe that is what we should be doing here.

On the occasions when government members came to our caucus—I was the whip of this caucus at that time, and I had several discussions about whether we could agree to any kind of pay increase—we said very clearly that we thought we could agree to a small pay increase. We talked about 2%, the same that the public servants are getting, those who are getting any. We talked about the need to look at and, indeed, to raise the minimum wage. We talked about the idea of having some kind of package so that we would be getting a fair and reasonable increase, which I think we should have. But I think we should ultimately hold responsibility for that raise. What's happening here, as my leader pointed out, it that this goes against the conventions of the British parliamentary system. At the end of the day, I find it hard to believe, it appears from this legislation before us that we won't even get to do that, that an Integrity Commissioner will make the decision. We don't know: maybe it'll be 2%, do you think? It's possible, but I don't think that's what we have in mind here. We've been talking, or the government has been talking—I should be very careful with the "we"—about a much higher increase than that over the past several years. I believe that, should the Integrity Commissioner come back, it's not a recommendation. That's it, it's set in stone and that is then the pay increase we get.

I believe what's happening here is that the government is shying away, shall we say, from its responsibility to just take it on and take responsibility for it. If they really believe that's how much we're worth and that's the kind of increase we should get, then they should stand up and make the arguments as to why they think we're worth

that and why we should try to catch up with perhaps the federal members, or whatever. But nobody from either of the other parties is standing up today and making any of those kinds of arguments, and I want to hear those arguments. We should have a good, honest debate about what people think we are worth, why people think we should get an increase and what people think that increase should be. I'd like to hear from people. It's all very well to say, "Let the Integrity Commissioner decide." I'd like to hear from my colleagues in this House what they believe is a reasonable increase in pay, should they believe we should have one.

Before I finish, I want to clarify, shall I say, a weak but frequent argument we're hearing from Tory members today trying to connect their quest to give us a pay increase with the NDP's begging and pleading for party status back in 1995 when we lost the election. I guess the only way that argument relates back at all to the discussion we're having today is the fact that the government decided to reduce the number of politicians in this place and at the same time—in fact I made quite a bit of noise about it—didn't they do a press conference with 103 chairs on a big—

1750

Mr Kormos: On a flatbed.

Ms Churley: Flatbed, that's right—and the Premier getting up and happily saying, "See these chairs? We're going to get rid of a certain number of them."

Mr Kormos: It wasn't very environmentally friendly either, a big flatbed diesel truck.

Ms Churley: That's true as well. But the point I want to make is that the government reduced the members in this House from 130 to 103. Let's be very, very clear on this. You needed 12 members for party status when we had 130 members in this House. In fact, had we stuck to the corresponding percentages in legislation across the country, then we would have ended up being able to have party status with five members. We could still argue that.

Mr Kormos: But they reduced quorum by 40%.

Ms Churley: You've reduced quorum.

Mr Kormos: And they didn't reduce party status by 40%.

Ms Churley: As Howard Hampton, the NDP leader, said earlier, the Premier made that quite clear. He understood at the beginning. There was no begging and pleading here. There was an understanding that when you reduce the number of seats in the Legislature, you also reduce the number you need for party status.

So we did our research, and it was very clear that we should have been able to have party status with only five, but we ended up negotiating and came up with the number of eight. But if you will look across the country and indeed in Ottawa, if we want to compare salaries to how much they're making in Ottawa, then I think it is also incumbent upon you to look at—I don't know how many members are there. But correspondingly, the number of MPs needed for party status is far less than you have here, needing eight at this point.

That is the reality. That argument doesn't wash. It doesn't make any sense. So I wouldn't go there, if I were you. I believe as well that the people who elected us were quite determined that we would have party status so that we could represent them in this House.

Mr Bisson: It's a good thing; look at today.

Ms Churley: As it turns out, it's a very good thing, isn't it? I think we're doing a pretty good job of representing our constituents across the province.

I'm going to lay out my position for you. I believe—I'm speaking for myself here—and I've always believed that there should be some kind of independent panel set up to deal with pay for MPPs. I still believe that would be a good idea. I don't support it being the Integrity Commissioner. I believe it would make sense to have a really independent panel made up of, I don't know—look at people from different walks of life, who are given some kind of criteria for what they should look at, for what is a reasonable amount of pay that members of this place should make, and at that time that those recommendations be brought back to the Legislature and then the MPPs in this place have an opportunity to debate and discuss those recommendations. As uncomfortable as it might be, I believe that is something we have a responsibility to do.

I don't support the process put before us today. I believe that because the government was unable to find another way to get the pay increases they want to put forward, it was impossible to find a way to do that politically, they found another way, a scheme, to get it through as quickly as possible. The reality is, when that comes forward, people out there aren't going to be very happy, and you're still going to have to answer to your constituents if they come forward with a huge pay increase.

The Deputy Speaker: Questions, comments?

Mr Kormos: The Liberal and Conservative caucuses are playing cuter and cuter. They're not going to participate in questions and comments now. Why don't we celebrate this?

Let me say this to members of this chamber: I suggest to you that you should analyze what you're doing and consider it to be a very dangerous precedent that you're setting. A cursory review of American law versus Canadian law has revealed to me that in the United States there is an overriding principle of non-delegation, the Congress cannot delegate its powers. That principle does not apply in Canadian law. Subject to whatever else I might find in my modest research, it would appear that what's being proposed here is perfectly constitutional. However, I put to you the incredibly dangerous precedent you're creating.

What's next? Andersen Consulting is going to set tax rates? What's next with your privatization agenda? You've already delegated to the private sector in no small way the power to set user fees. You've done that by any number of pieces of legislation. This is an incredibly dangerous precedent that could de-democratize this province and further enunch the role of this Legislature,

increase its impotency, increase its lack of accountability.

This principle of delegating absolutely to an outside body, individual or group is consistent with your increased trend toward delegating to the private sector, which I say eliminates accountability, eliminates parliamentary responsibility and will de-democratize this province even further, a very dangerous course of action that I intend very much to discuss further, along with a whole lot of other things, when it's my opportunity to debate this bill. We're opposed to this bill, we demand a debate and we demand public hearings. We're going to be voting against it.

Hon Mr Turnbull: I would just say to the member for Toronto-Danforth that she raised a few interesting points. In point of fact, there was a pay reduction under the NDP and then there was a pay reduction under our government. It was always very clearly said, when it was laid out that we would take a further pay reduction—not a pay increase, a pay reduction—at the same time as we got rid of the pensions, that as soon as the budget of the province of Ontario was balanced, that would be the right time to look at a pay increase.

In point of fact, the process was put in place. You spoke about an outside committee. There was an outside panel appointed to look at this and when the recommendation was brought in, you suggested that was inappropriate. So since you didn't like that process and you've just spoken about the outside committee, which you rejected when the recommendation came in, here is another process.

I have to tell you personally that my wife has always emphasized that she does not feel it appropriate that we, the legislators, set our own pay. On the one hand either you wear sackcloth and ashes, which I think is wrong and I think you spoke quite well about that point, or on the other hand there is the possibility that you can be accused of being pigs at the trough. Neither of those are very suitable situations. I believe this process is fair. I believe it's worthwhile following this through. You rejected the previous process, which is the one you just spoke about, saying you support it, so I do hope you'll reconsider.

Mr Sergio: I don't wish to skirt the issue, even though it is one that raises many debates on both sides. Let me say that I really don't want to be on both sides of the fence and say, as the member for Toronto-Danforth says, "Let's get a bunch of people, whom we may choose, who will decide." Let me say that if we were to do that, which I have absolutely no problem with, then they will have to look at the other compensation as well, at benefits, pensions and what have you.

I think the route that has been chosen here is a fair one, an independent one. God knows what may come out of it, but let's remind each other in this House that I don't know who has been pushing us to run for this office and I don't think anybody has twisted our arm to stay in this position. I believe that if at any time we don't feel comfortable, then let's get out of it. I think it goes both

ways, that we have to accept everything that comes with this—responsibilities, criticism, and whatever have you.

So if the Integrity Commissioner comes and says, "Hey, you guys, you're already well paid," well, then so be it. There are no other strings attached, as far as I can read in the bill, but if we were to give it to a bunch of independent people, they would have to look really at all other sectors, where we get our total income, salaries, benefits, pensions and whatever have you. So I think it's a good way to go, independent way, and whatever comes with it comes with it.

The Deputy Speaker: Questions, comments?

1800

Mr Bisson: I just want to comment on a point that the member from Toronto-Danforth made which I think is an important point that wasn't stressed enough. That is, she brought her own personal perspective of somebody who's had to walk a mile in somebody else's shoes, somebody who did not have the benefit of being born in a wealthy family, who didn't have the benefit of being as lucky to others—

Interjection.

Mr Bisson: Well, neither did you and neither did I. Most of us—and I don't mean this as a virtue, understand me; I'm not trying to be combative with the government on the other way. What I'm saying is that the New Democratic Party, by and large, attracts candidates who don't come from wealthier backgrounds. It's one of the reasons why we're opposing this, because we do understand what it's like to be living on lower wages, what it's like to have to negotiate across the table from an employer when the employer says, "No, you can't have more than 1% or 2%," and you do want more, because I negotiated for union collective agreements where I certainly tried to get more. We understand what it's like to be on the side that doesn't get everything that they want in life, people who've had to work at minimum wage, single mothers who've had to raise children on low incomes when they're having to work very hard in order to be able to keep the dignity of the family going and put food on the table and a roof overhead, such as my good friend Marilyn Churley had to do through her times when she first came to Toronto from Labrador.

So yes, as New Democrats, we're taking this from a different perspective because we've walked a mile in those shoes. That's what we're trying to say through this debate, that we understand and accept that members are valued and they work hard and certainly deserve every penny that they get—

Interjection.

Mr Bisson: —and yeah, probably deserve more. But the problem is, how can we do that in life, with everybody having had to take reductions and compressions in wages for the last 10 or some-odd years, and then we all of a sudden come back and try to do something different?

We just say, as New Democrats, you should lead by example. It's not fair. It's as simple as that.

The Deputy Speaker: Response?

Ms Churley: While I appreciate all the comments from members from all sides of the House, let's remember how we came to this today. There were three occasions that I recall where the government tried to bring forward rather large increases and it just didn't fly. Each time the government didn't fly; each time the government decided to back down.

Then—was it last week?—the member for Bruce-Grey-Owen Sound came forward with a private member's bill to do exactly this. Then we heard that there perhaps might be an agreement—which we didn't agree to, and maybe that's why it didn't happen—to allow private members' bills on Thursday, this coming Thursday, whatever was on for that day to be moved aside and that his private member's bill be debated. We would not agree to that. So then, all of a sudden, the next thing we heard was that the government was taking that private member's bill and turning it into a government-sponsored bill, which changes everything, of course. So

now we're in a position where the New Democrats are the only party speaking to this at all, except for two-minute comments, and we're not having a fair and reasonable debate about this.

What is really happening here, and we all know this, is that the government has been trying for three years to find a way to give MPPs massive salary increases and could not find a way to do that in a politically safe way, so it took the scheme from the member for Bruce-Grey-Owen Sound and decided to go forward as quickly as possible to have it out of the way and to get themselves out of taking any responsibility for whatever amount is recommended that we take as a raise.

I think that is wrong. I don't agree with the process that we're engaged in here.

The Deputy Speaker: It being 6 of the clock, this House stands adjourned until 6:45.

The House adjourned at 1805.

Evening meeting reported in volume B.

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Monday 18 June 2001

Lundi 18 juin 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 18 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 18 juin 2001

The House met at 1845.

ORDERS OF THE DAY

STABILITY AND EXCELLENCE IN EDUCATION ACT, 2001

LOI DE 2001 SUR LA STABILITÉ ET L'EXCELLENCE EN ÉDUCATION

Mrs Ecker moved second reading of the following bill:

Bill 80, An Act to promote a stable learning environment and support teacher excellence / Loi favorisant la stabilité du milieu de l'enseignement et soutenant l'excellence des enseignants.

The Acting Speaker (Mr Bert Johnson): The Chair recognizes the Minister of Education.

Applause.

Hon Janet Ecker (Minister of Education, Government House Leader): Thank you very much, Mr Speaker, and thank you to the thunderous applause from our benches. I'll be sharing my time with the member for Simcoe North.

I'm very pleased this evening to rise in the House to speak in support of Bill 80, the proposed Stability and Excellence in Education Act. We on this side of the House recognize that parents with children in school want to see them thrive in a safe, stable and enriching learning environment, guided by excellent teachers. This legislation is another step in our plan to achieve these goals, to build an education system that provides the education parents want for their children, an education that focuses on quality, accountability and improved student achievement.

We began our comprehensive plan to do this in 1995 when we were first elected. During the 1999 election, we laid out our platform for continued education reform in our second term. We've been meeting those commitments, both the ones we made in 1995 and the ones we made in 1999, and doing what we said we would do. Our plan to deliver quality education to every student includes: a more rigorous curriculum from kindergarten through to grade 12; significant resources for education—this school year alone we've increased our investment by more than \$360 million; a new province-wide code of conduct to make our classrooms safer, more respectful learning environments; new school council regulations to ensure that parents have a stronger voice in

their children's education; a standardized testing program so parents know how well their students are doing; a new report card that parents can understand; a comprehensive teacher-testing program to help ensure all of our teachers are as up to date as they need to be; and Ontario's new early reading strategy to help schools improve children's literacy skills.

All of these initiatives and our other quality education steps are aimed at providing students with the highest-quality education. These steps demonstrate our ongoing commitment to higher standards for our schools with an emphasis on performance-based accountability.

As we continue to implement the key elements of our reform agenda, we also continue to listen to what parents and taxpayers tell us needs to be done and how we should proceed. We believe on this side of the House that the involvement of parents in education is very critical to achieving higher standards and raising student performance. For parents to be able to make the necessary decisions and choices about their children's education, they need information and they need effective and meaningful ways to participate and influence decisions affecting the education of their children.

Parents also want to see evidence that their student's achievement is indeed improving. To strengthen and support parental involvement, we've created, as I mentioned, understandable report cards, and we've been working to strengthen the role of parents in their children's education through school councils.

I recently released new regulations that increase the accountability of the education system to parents and ensure that parents have a stronger voice. Beginning this fall, school councils will have the right to make recommendations to the principal of their school or to a school board on any matter. Principals and boards will be required to seek the views of school councils in a number of important program and policy areas and also to report back on the actions that have been taken in response to those school council recommendations to what the parents told them needed to be done. It's a very important initiative in response to what parents told us needed to be done.

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In addition, to provide parents with a stronger voice at the policy-setting level at the provincial government, we recently expanded the Ontario Parent Council to include six regional representatives who are chosen by our school councils across this province. The representatives were chosen at regional sessions we had earlier this year to

brief and train parents on the new regulation, on the responsibilities they have and on the ways they can influence not only how their school is being run, but how the board is making decisions.

Parents also want to see steady improvement in their schools. This past January, we announced the creation of the Task Force on Effective Schools. This group of individuals is making recommendations to us on ways we can improve board management practices, planning systems, school improvement plans and teacher excellence. I know that members on this side of the House, our caucus and our education partners are very much looking forward to the completion of their report to the recommendations, which I expect very shortly. We will want to move forward with additional steps that will allow us to set improved student achievement as a goal, as a target, and to have ways that we can continue to take steps to do that.

One of the other areas that I've mentioned a lot here in this House and in other places, because I think it is also a very important priority in our education reforms, has to do with special education, the services, the supports we provide for those students who, with a little bit of extra help, with some special accommodations, are able to achieve their educational goals as well. Last year we announced and this year we actually did increase spending in special education by 12% over the previous school year. I think it's important to note that this is the third year in a row that resources in this area have been increased.

In addition, because increased resources are important but they're not the only step we need to take, besides the continual increase in resources for special education, as part of our ongoing plan to improve quality and accountability in our special-education programs, we created new standards for individual education plans, those plans that schools put in place to work with the teacher or the parent to put in place an individual education plan for each exceptional student. We've started by creating standards for this school year.

To ensure that boards are accountable for delivering high-quality programs and services throughout the province, we've also provided standards for school boards' special-education plans. So for all of the services that a school board is expected to have available, the range of services they're expected to have available for special-needs students, we've set standards so that boards will be very clear about what the expectations are that they must meet. We're now moving into the next stage of this where we're working on the development of program standards for each exceptionality, for example, the kinds of supports and services that a school board must provide for children, say, with autism or another exceptionality. This is another very important improvement.

We've also continued to increase funding not just for special education but for our public education system overall. For the 2001-02 school year alone, we have increased funding by more than \$360 million. That's \$360 million in net new dollars to go into our education

system, a very important investment. This new money is being provided in a way that will allow school boards greater flexibility in determining their own spending needs and priorities. Boards will be able to take those new resources and apply them to what are the top priorities, their communities' highest needs.

As a result, education funding for the coming school year is projected to be almost 3% higher than funding this current school year. So funding will be going up by 2.8%, and I think it's important also to note that this is an increase beyond enrolment growth. Enrolment growth is only about 0.9%. The government believes that kind of increased investment is extremely important for our public education system. This means that education funding will have increased from \$12.9 billion to \$13.8 billion since this government took office in 1995, a significant increase in money for school boards to provide quality education for our students.

Furthermore, as part of the 21 steps into the 21st century that were outlined in April's throne speech, we are taking several additional measures to support increased accountability and choice in education. I'd like to highlight, briefly, some of those measures.

For example, they include the expansion of standardized student testing in core subjects in key grades, a very, very important commitment. As you know, we currently test reading, writing, mathematical skills in grade 3, grade 6 and grade 9, and we have a literacy test for grade 10 students. But we recognize, and certainly when we look at other jurisdictions we see the value of having tests for other key subjects and other important grades so that we can benchmark so we can measure how well our students and our schools are doing.

One of the other measures that was included in the throne speech was the elimination of the institutional bias against home-schooling by helping parents to access standard tests and other learning tools. Other initiatives included requiring schools to provide extra support for students who are falling behind; requiring boards to set targets for improving student achievement; and establishing plans to help low-performing schools and school boards.

I'm pleased to see that the honourable critic from the NDP party is proving his grasp of mathematical curriculum by counting the number of members here in the Legislature tonight.

It will require boards, as I said, to set targets for improving student achievement and to make sure they're putting in place plans so that we can help low-performing schools and school boards to improve. I think that's a very important step.

This fall we'll be announcing a survey that will be asking parents for their views, to measure their satisfaction with their children's education system. That will begin, as I said, this fall.

Another proposal we'll be bringing forward will allow parents the choice to enrol their children in any available school within their system.

While we believe that we have accomplished much in the reform of Ontario's public education system, we also recognize very, very clearly that much more needs to be done. We remain committed to finish what we've started and to complete our plans for better quality, for more accountability and for improved student achievement; in short, to do what we said we would do.

Tonight's legislation, the Stability and Excellence in Education Act, is allowing us to move forward with the next steps in our plan. There are three key areas in this bill as it sits before the Legislature.

First of all, the legislation proposes to implement a mandatory recertification program for our teachers. That's a key component of our comprehensive teacher-testing program. The second component deals with the concerns that parents and students—and teachers—have had about labour disruptions involving our school boards and teachers' and school staff unions. The third key component of this legislation proposes to implement the government's decision to accept the key recommendations from the advisory group on co-instructional activities. Their recommendations and the recommendations of other education partners were put forward to ensure that co-instructional activities for our students will be available this fall.

I'd like to touch on each of these components in turn. I'll start with the first one, the recertification program for teachers.

First of all, I think it's important to recognize—and we certainly do—and when you look at other jurisdictions, it's very important to see that one of the major foundations for improved student achievement is quality teaching. Research clearly demonstrates the difference that a good teacher can make. Excellent teachers foster a passion for learning that students will carry with them throughout their lives. Excellent teachers can inspire their students to achieve things that they never thought possible.

One of the great pleasures of being the Minister of Education is the many opportunities I have to meet the many excellent teachers we have in this province. I had the privilege not very long ago of attending an awards ceremony with the Lieutenant Governor in her chambers here in the Legislative Building where she was recognizing and telling the stories of excellent teachers across this province who had been nominated by literally hundreds of their students and their colleagues. Not only do teachers such as this go above and beyond for their students as part of their daily job, they also recognize that in today's rapidly changing world a commitment to professional development and lifelong learning is absolutely imperative. That's why we've taken the steps we have in our comprehensive teacher-testing program, so we can ensure that both new and experienced teachers have the most up-to-date training, the knowledge and the skills they need to help students succeed and to help students achieve higher standards.

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This program has been modelled on best practices in other jurisdictions, and also we've taken a look at not only what the teaching profession is doing in other jurisdictions but also what other professions have been doing here in Canada as well.

There's a series of initiatives that are part of this program, and I'd just like to go through them before I speak specifically about what is in this legislation tonight.

We came out with the framework for this back in the spring of 2000 so that everyone would be very clear where we were going and so we could work in consultation with our partners to implement the steps that were in that framework. Already in place is a language proficiency test which took effect last fall, and that's for new applicants to the teaching profession who took their training outside of Ontario in a language other than English or French.

Coming into effect this next spring is a requirement that all new applicants for teaching certificates will take a qualifying test at the end of their education in the faculty of education that would be very similar to a lawyer's bar exam.

To be introduced over the coming months are other steps, for example, an internship program for new teachers to help them acquire strong teaching and classroom management skills at the beginning of their careers. This fall, we'll be bringing in legislation for the framework for new province-wide performance appraisal standards so that all teachers will be evaluated regularly, consistently, in their classrooms—again, I think a very, very important step. That appraisal, that evaluation process, will also give a voice to parents and to senior students in the evaluation of teachers. Also included in these initiatives will be a system to recognize teaching excellence and a role for parents, educators and experts in a quality assurance process for schools.

In this legislation we propose another step in our program, and that is mandatory recertification. I think it's important to note that the Royal Commission on Learning, an all-party committee that spent considerable time looking at how to improve the education system, made a series of recommendations in 1995, recommendations that all three parties in this Legislature supported, and I think that's important to recognize. One of their key recommendations was that there needs to be a mandatory recertification program every five years for teachers. This was part of a key election commitment that we made in 1999. We said that if we were elected we would proceed with this, and so we are indeed doing that, and this legislation proposes to put that in place.

I think it's also important to recognize that teachers in many other jurisdictions and individuals in many other professions are required to update their skills and knowledge on a regular basis. In Nova Scotia, for example, teachers must complete at least 100 hours of professional development within a particular time period. In the United Kingdom, Germany, Ireland, Sweden,

Switzerland and Japan, ongoing professional learning has become an important part of reforms to make their education systems more effective. In the United Kingdom the Teacher Training Agency, which was established in 1995, is responsible for reviewing the improvement and provision of continuing professional development for teachers. Here in Ontario many other professional associations and regulatory bodies, such as the Royal College of Dental Surgeons and the Ontario Association of Architects, require their members to complete a mandatory program of professional development over a specified time period.

So what this legislation is proposing is something that is not unique to the teaching profession. It is something that many other professions are meeting, are doing, are moving forward with, because they recognize the challenge for staying as up to date as possible and are moving to make sure that their members can do that.

This program, as proposed in the framework of this legislation, would require teachers to take part in a series of professional development courses and activities over five-year cycles throughout their careers. During each five-year cycle, teachers would be required to successfully complete seven core courses and seven elective courses from an approved course list. Approved courses would include professional development activities and programs many teachers already participate in regularly to improve their skills or to teach a new subject, courses that are currently being provided, for example, by faculties of education, school boards, federations and the ministry.

These courses will focus on key streams, if you will, knowledge that teachers need to have—for example, curriculum, student assessment, special education, teaching strategies, classroom management and leadership, use of technology and communicating with parents and students. All courses would include tests or some other kind of assessment, quite simply to ensure that those programs, those courses, those activities had been successfully completed by teachers.

The course lengths, too, will vary according to the learning requirements of each topic and will range, for example, from one-day workshops that boards put on now, to longer courses designed to upgrade qualifications. It should be noted, because I know we're going to hear criticism from the members opposite about this, that even the Liberal Party has said very clearly that they would require teachers to take mandatory activities to upgrade their professional development. So it's not a unique requirement for professions, for jurisdictions, and obviously not among political parties.

This program will be phased in starting this fall with 40,000 randomly selected practising classroom teachers, and in the new year the approximately 6,500 new teachers who will be going out into classrooms will also begin the program. In the fall of next year, all certified teachers, members of the Ontario College of Teachers, including principals, vice-principals and supervisory officers, will begin participating as well.

Like parents, we know and recognize that an education system that is committed to quality is a system where we all must work together, all of the partners must work together, for the benefit of students.

That brings me to the second initiative in this legislation, and that has to do with the concern that parents and students have expressed about how labour disputes between school boards and teacher unions, school boards and staff unions, have disrupted their students', their children's educational year. We've heard these concerns, we've listened, and with this legislation we are proposing two steps which we believe will provide greater labour stability.

First of all, I think it's important to recognize that we continue to believe that local agreements are the best solution. But we also believe that the collective bargaining process needs adjustments to better reflect the interests of parents and students and the need for greater stability. Our legislation therefore requires that upcoming collective agreements between school boards and teachers' unions will run for a term of three years, so no more of this annual collective bargaining, this annual labour disruption that has occurred in some boards, some unions. We will have agreements run for a term of three years. This requirement would be phased in. As current contracts expire, school boards and teachers' unions would be required to negotiate contracts that will run to August 31, 2004. Thereafter, all subsequent collective agreements would have a term of three years.

Longer-term agreements are not an unusual thing. School boards have had two- and three-year agreements before. Other sectors have had two- and three-year agreements in labour. Even though, as our critics are going to point out, Ontario provides grants to all of our partners, education or otherwise, as part of an annual budgeting cycle, certainly many other sectors and boards have periodically been able to do longer-term agreements, and we think that this is a very important step.

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We've also seen, in Toronto and Windsor-Essex, that labour disputes involving support staff can also have a direct impact on the delivery of education to our students. The Education Relations Commission, an arm's-length independent body, currently advises the government when the continuation of a strike or lockout involving teachers is putting students' education at risk. They currently have that authority, but unfortunately the gap in the legislation means that they've had no jurisdiction in labour disputes involving other board staff. The commission's advice to governments of all political stripes over the years has been an important factor in a government's decision to legislate teachers back to work.

What the legislation tonight is proposing is to allow the Education Relations Commission to advise the government when students' education is in jeopardy because of labour disputes involving other school board staff. That'll be an important expansion of their authority so they can give us that crucial advice when a strike with

teachers or school board staff is jeopardizing a student's school year.

These measures, if approved by the Legislature, will mean that students, parents, teachers and school board employees will spend less time distracted by contract negotiations and the possibility of labour disputes, while at the same time giving unions and school boards the ability to continue to have the flexibility they need to work out their own specific local agreements.

Moving on to the third important part of this legislation, first of all I'd like to start by saying that this government and the members of this caucus continue to recognize that co-instructional activities are an important part of any student's education. That's why we established the advisory group on co-instructional activities: to provide advice on how to restore those activities where they had been withdrawn from students as part of a work-to-rule by some teachers in some schools, a very unfortunate occurrence that has taken away opportunities for students, taken away opportunities to learn better, to develop relationships with teachers, to have job opportunities, opportunities to get scholarships for post-secondary education. So these work-to-rule activities by some teachers have taken away that opportunity for students.

The advisory group has provided advice to the government on how to restore these activities where they had been withdrawn. I must say, the group did, despite the criticism when we appointed them—there was a great deal of criticism that somehow or other they weren't up to the job. But when they did their work, when they went out and did the consultation, the meetings, the listening that they were asked to do, they came back with recommendations that were greeted with great acceptance by all our education partners. Even our critics said that those recommendations were good, they were helpful, they would help restore extracurricular activities, co-instructional activities, in our schools.

The group said to all of the education partners that we had to set aside our original positions and we had to work for the benefit of students. We were very pleased, and students were certainly very pleased, to see that everyone said they would. So on May 7 we announced a significant package of initiatives that act on those key recommendations from the advisory group and other education partners to ensure that co-instructional activities will be available to all of our students this fall.

The third and final component of this bill provides the legislative framework for us to implement this significant package. The proposed legislation will give school boards and high school principals and schools greater flexibility to recognize co-instructional activities when they're assigning teachers' workloads, because everyone recognizes that for a teacher to do extracurricular activities is an additional duty, that it is an additional task that many teachers see simply as part of their job. So what this legislation does is give flexibility so that when time-tabling teachers they can recognize that co-instructional activities do have an additional workload.

The current requirement that high school teachers teach an average of 6.67 courses a year—or, to use something that's a little more easy to understand, the equivalent of an average of four hours and 10 minutes of instructional time a day—that standard stays because it's a fair and reasonable standard. It's based on what teachers do across the country. But what we clearly recognized is that it did have to be changed in how it was applied and what it included. So there will be greater flexibility in the regulations that define the instructional time standard, so that we can clearly say to our teachers that we can include time spent giving remedial help to students and time spent on duties such as supervising students or for on-call, as it's called, filling in for teachers who may well be involved in co-instructional activities.

The legislation will also allow a school board to pass a resolution to vary the maximum average class size in its high schools by up to one student if they choose to do so. We brought in the previous average cap on class size in Bill 160, legislation that for the first time in this province set an average cap on class size, legislation which some of the people across the house who are criticizing me now actually voted against. Hard as that is to believe, the Liberal Party, which started to say to school boards, "We've got to work to bring class size down," would actually vote against this legislation. The cap that was established in Bill 160 does remain, but school boards have additional flexibility to vary that size, to use those resources to meet students' needs, to meet local priorities. Again, it was a key recommendation the task force put forward and that all partners said they supported.

The other thing this legislation will do is repeal the unproclaimed section of the Educational Accountability Act, which was passed last year. This section would have required teachers to participate in co-instructional activities, would have made it a mandatory task, if you will. Based on the recommendations the task force put forward, and based on everyone's willingness, all the partners saying they were prepared to move forward, prepared to do this, this legislation proposes to repeal that section of the legislation.

Applause.

Hon Mrs Ecker: I'm very pleased to see the Liberals are actually supporting something. This is good to hear. Perhaps they will vote for this bill.

This legislation will also proclaim the sections of the act that require school boards to develop and implement plans for the provision of co-instructional activities for our high schools, a very important step as they put in place the supports through teachers, through volunteers and through other activities to make sure our students get what they need. With the passage of this legislation, students should be able to expect that extracurricular activities will be restored this fall, a very, very important step.

This legislation, as it stands before this House, will enable us to move forward with our partners in a number of areas to make necessary changes. I'd like to also say

that every step in this legislation has involved consultations and meetings between the ministry, myself, our educational partners, all of them—students' groups, parents, teachers' federations and school boards—to make sure we were obtaining their best advice on how to move forward with this.

We, on this side of this House, are committed to setting higher standards for student achievement in Ontario, to providing students with the tools and the environment they need to succeed. The proposed Stability and Excellence in Education Act will be an important step along the path to an education system where the highest priority is improving student achievement.

I certainly expect that we will receive support from the other members of this House from across the way. I know our caucus supports this legislation. I know there are many members of our education partners and organizations who support this legislation. I certainly hope the members on the other side of the House will work with the government to have speedy passage of this bill, for the benefit of students.

Mr Garfield Dunlop (Simcoe North): I am pleased to take part in the debate on second reading of Bill 80, the Stability and Excellence in Education Act, 2001. I'd like, first of all, to thank Minister Ecker for bringing forth this legislation, and I'd like to thank her for having me as her parliamentary assistant as education minister as well as government House leader. I've certainly enjoyed the job. It's great to work with the magnificent staff they have at the Ministry of Education and in the minister's office, as well as the opportunities I've had as PA to visit schools, to visit parent councils, to meet with people from all different stakeholders in education. I have to tell you, it's a pleasure to be here.

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Since 1995, this government has been implementing a comprehensive plan to reform our publicly funded education system. Our goal is to help students succeed, to build an education system that provides the quality education parents want for their children in a stable learning environment.

Student-focused funding, new curriculum with higher standards, province-wide student tests, a greater voice for parents and safe school environments have all been aimed at creating an education system where the highest priority is improving student achievement. Students deserve to get the best education possible, and parents expect their sons and daughters to have the best education possible.

Our government has made the difficult decisions required to create an education system where excellence, achievement and accountability are the highest priorities. We are setting high standards and getting results. However, there is much more to do. This legislation would be another step to see our plan for quality education through to success.

Accountability to parents is an essential part of our plan, and with this legislation we are responding to the concerns of our parents, who want to be assured their

children have a stable learning environment and who want to be assured their children have teachers who are up to date in their skills and knowledge, teachers who will prepare our students for the challenges of the 21st century.

There are three major components to Bill 80. First of all, Bill 80 is our commitment to accept key recommendations from the advisory group on co-instructional activities and other education partners to ensure that co-instructional activities are available to all students. Mr Speaker, you may recall that Chairman Doug Brown and members of his committee visited the Legislature here last week.

Secondly, Bill 80 responds to concerns from parents and students across the province about the frequent labour disruptions involving school boards and teachers and school staff unions in Ontario. Thirdly, the Stability and Excellence in Education Act implements a mandatory recertification program for teachers, a key component of Ontario's teacher testing program and a commitment made by our caucus during the 1999 provincial election.

I'd like to speak a little bit about co-instruction. The regular school day, also called the instructional day, is only part of a quality school program. Outside the regular classes, students participate in a wide range of co-instructional activities, including sports, arts and cultural activities for students. There are also other important activities that contribute to a quality education, such as parent-teacher interviews, staff meetings and school functions such as commencement and graduation ceremonies. Teachers have often stated that making co-instructional activities available to students is a very important part of their professional responsibilities.

In addition to dedicated teachers, there have always been many other people involved in providing these activities for students, including parents and other members of our school communities. While many teachers across the province have continued providing co-instructional activities, parents and students have been concerned about schools where a full range of co-instructional activities have not been available. In January this year, the Minister of Education appointed an advisory group on co-instructional activities to recommend measures to ensure Ontario's students have improved access to these very important activities.

The advisory group heard input from a wide variety of sources, including students, parents, teachers and many others involved in education. In April the group brought forward a number of thoughtful recommendations. We clearly heard, and all our education partners clearly heard, that parents and students want to see an improved environment in our schools. In May the government announced a package of initiatives based on key recommendations of the advisory group that demonstrated our commitment to an improved environment. We are proposing to give school boards the flexibility that they have told us will help them meet their students' needs, not only for co-instructional activities but for

remedial help to meet the challenges of Ontario's rigorous curriculum and for a safe and positive school environment.

Bill 80 would enact key parts of our package of initiatives. It would give school boards and high school principals greater flexibility to recognize co-instructional activities when assigning teachers' workloads, so that all high schools can provide a quality program of co-instructional activities to students. Specifically, Bill 80 would amend the Education Act to allow boards to vary the maximum average class size in secondary schools by up to one student. It would also broaden the types of eligible courses and programs to be included in teaching assignments for secondary classroom teachers and, as well, would repeal sections of the Education Act which have made co-instructional activities a duty of teachers. As well, the power of a principal to assign co-instructional duties to teachers would be repealed.

I'd like to speak a little bit about class sizes. Because co-instructional activities have been an issue at the secondary level, we propose to permit class size in secondary schools to rise, so that teachers can be freed up to participate in co-instructional activities. The average class size for secondary school classes, in the aggregate, would remain at 21. However, boards could pass a resolution to exceed that average by up to one student. This would provide boards with flexibility to access resources that could be used for local priorities to meet the needs of students for quality education.

To ensure that parents and students are informed as to why the board wants to increase class size, the board would be required to pass the resolution at a public meeting. In addition, the proposed legislation would permit the minister to make regulations governing the board resolution. As well, school boards will continue to report annually to the public on their average class sizes, both by school and on a board-wide basis, using a consistent province-wide calculation method.

A little bit on instructional time: the current province-wide standard for instructional time at the secondary level requires school boards to ensure that, on average, full-time secondary schoolteachers are assigned to teach 6.67 eligible courses a year. This is a course load equivalent of four hours and 10 minutes a day or 1,250 minutes a week. Ontario's instructional time standard is consistent with other provinces. With this legislation, we are introducing additional flexibility into the system.

Bill 80 would provide flexibility by allowing changes to the regulations that would refine the definition of what counts toward the 6.67 to include, first of all, time spent giving remedial help to students so they can meet the challenges of Ontario's rigorous curriculum and also time spent on duties such as supervising students and filling in for teachers involved in co-instructional activities, helping to ensure a safe school environment. Boards would have the flexibility to vary assignments to teachers. For instance, in addition to teaching credit courses, some teachers could be assigned remedial instruction, others could be assigned supervision duties

and a third group could include all three components of the workload.

Nothing in legislation requires that all teachers have the same workload. There is no legal need to schedule all teachers to teach a quarter-credit course. We have provided flexibility to boards. We expect teachers to be flexible in working with the boards to meet the needs of the students.

Some have suggested going back to six out of eight credit courses per teacher. This would require an additional 3,000 teachers and would cost about \$200 million for teachers' salaries and benefits per year.

There are other initiatives as well. It should be emphasized that in addition to the provisions of Bill 80, the government's package includes other measures to ensure co-instructional activities are available to students. These would include the following: on May 7, the government announced a further \$50 million in funding that school boards may use to address their local priorities. This brings the total increase for this next school year to over \$360 million. Secondly, school boards will be required to develop and implement plans, in consultation with the local school community, for the provision of co-instructional activities in secondary schools. As well, high school principals will be required to develop and implement school plans and to consult with their local councils on their development and implementation. This government is proceeding with plans to proclaim the section of the Education Accountability Act, 2000, now part of the Education Act, that legislated this requirement.

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The Ministry of Education will provide a guideline for co-instructional activities to help school boards meet province-wide standards for planning co-instructional activities. We are developing province-wide standards for the training and orientation of community volunteers who help with co-instructional activities as well. We will work with the Ontario College of Teachers and with faculties of education to provide courses to prepare teachers for leadership roles in co-instructional activities.

We are doing our part and we fully expect that our education partners will match the commitment we have demonstrated and work to ensure that all our students receive a better education.

On stability, we want our students in the classroom, learning and growing, guided by their teachers and meeting the challenges of Ontario's rigorous curriculum. Like parents, we want greater stability in labour relations to ensure that students receive the benefits of Ontario's quality education reforms. A lot of energy is expended by boards and teachers in bargaining one-year agreements. We believe that both parties need predictable extended periods free from collective bargaining so that energies can be focused on the delivery of quality education to our students.

To protect the interests of students and promote stability, Bill 80 would require all collective agreements negotiated by boards and teacher unions to run for three

years, beginning September 1, 2004. Students, parents, teachers and school board employees would spend less time distracted by contract negotiations and the possibility of labour disputes, while unions and school boards would continue to have the flexibility they need to work out their own specific local agreements. Bill 80 would provide the first collective agreement between a board and a teacher bargaining agent entered into following July 1, 2001, to expire August 31, 2004. Subsequent agreements would have a term of three years.

School boards have already shown this year that with one-year funding they are able to negotiate collective agreements for two and three years. In the most recent round of negotiations, there are 44 two-year agreements with teachers and four that extend for up to three years. The hospital sector also has multiple-year agreements on single-year funding.

This change does not require all boards to start negotiating. Boards with collective agreements that end August 2001 and teachers' unions can continue with the collective bargaining process already in progress. By setting the 2004 date, there is no interference with agreements already in place, so there is no requirement for collective agreements that end in 2002 or 2003 to be reopened. In the vast majority of cases, the collective bargaining process works well and the parties reach agreements without any interruption in service. As well, there are tools available to the parties to resolve disputes without resorting to job action affecting students. The government will continue to encourage the resolution of disputes through mediation and arbitration.

The proposed legislation would also allow the Education Relations Commission to advise the government when students' education is in jeopardy because of labour disputes involving any board employees. The Education Relations Commission currently advises the government when the continuation of a strike or lockout involving teachers is putting students' education at risk. The commission's advice is an important factor in a government's decision to legislate teachers back to work.

However, as we have seen in Toronto and Windsor-Essex, labour disputes involving support staff can also have a direct impact on the delivery of education to our students. Bill 80 therefore proposes allowing the Education Relations Commission to advise the government when students' education is in jeopardy because of labour disputes involving other school board staff. Parents have told us we need to react to these situations quickly for the benefit of our students. The Education Relations Commission already serves that function with respect to teachers, and it is the appropriate body to make that determination with respect to support staff.

I'd like to now speak a little bit about mandatory recertification. We introduced our comprehensive Ontario teacher testing program to ensure that both new and experienced teachers have the up-to-date training, knowledge and skills to help students succeed and

achieve higher standards. Modelled on best practices in other jurisdictions, our program includes a series of initiatives which are being phased in over two years.

Also in place is a language-proficiency test, in effect since last fall for new applicants to the teaching profession who took their training outside Ontario in a language other than English or French. To be introduced over the coming months, pending approval of legislation, where necessary, are a requirement that all new applicants for Ontario teaching certificates take a qualifying test similar to a lawyer's bar exam, starting next spring, and new province-wide performance appraisal standards to ensure all teachers are evaluated regularly and consistently in their classrooms.

We are also developing an internship program for new teachers to help them acquire strong teaching and classroom management skills. We will introduce a system to recognize teaching excellence. We will establish clear roles for parents, educators and experts, and a quality-assurance process for schools.

In developing this comprehensive plan, the government is consulting with parents, students, teachers, principals and vice-principals, trustees, deans of education and the Ontario College of Teachers, as well as other education partners. Experiences in other professions and jurisdictions have been a key part of the design and development process.

Bill 80 would require all members of the Ontario College of Teachers to complete five-year cycles of professional development to stay up to date and maintain their certification. Mandatory recertification was recommended by the Royal Commission on Learning in its 1995 report. Bill 80 would amend the Ontario College of Teachers Act to give the college clear statutory authority to implement and enforce mandatory professional learning requirements.

In addition, the bill would confirm mandatory professional learning as one of the objects of the college, first of all, to determine the overall requirements for mandatory recertification; to establish a statutory committee to approve courses and providers; to outline notice, appeal, suspension and cancellation provisions for teachers who do not complete the professional learning requirements; and to determine transitional requirements for mandatory recertification.

Approximately 40,000 practising classroom teachers and 6,500 new teachers will be the first to participate in the mandatory recertification program starting in the fall of 2001. All other members of the Ontario College of Teachers, including principals, vice-principals and other certified teachers would begin in the fall of 2002. All teachers would be required to successfully complete seven core courses and seven elective courses during this five-year cycle.

Core courses would focus on curriculum knowledge, student assessment, special education, teaching strategies, classroom management and leadership, use of technology, and communicating with parents and students. Course lengths will vary according to learning

requirements of the topic. The course and the providers will be approved by a professional learning committee of the Ontario College of Teachers, a key partner in this initiative.

The professional learning committee would be established as a statutory committee so that it has clear statutory authority to approve courses and providers. The committee would be made up of up to five minister's appointees and six council appointees. The six council appointees would be two elected council members, two council members appointed by the Lieutenant Governor in Council and two college members at large. The committee would approve providers and courses to meet the professional development needs of both new and experienced teachers.

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Regulations under the bill would set out the minimum criteria for the courses: that they must be related to student achievement, be linked to the core competency statements developed by the ministry in consultation with its education partners, and include tests or other assessments to ensure they have been completed successfully.

Approved courses would include professional development activities and programs in which many teachers already participate to improve their skills or to teach a new subject. For example, many courses and programs currently offered by school boards as part of their required professional activity programs for teachers would be eligible for the new recertification program if they meet the new criteria.

The bill also includes transitional provisions to ensure that an adequate supply of professional learning courses and providers is ready for September 2001. During this time, the minister would have transitional authority to approve courses and providers to meet a September 2001 implementation date.

The minister would also be able to delegate the transitional authority to the chair of the college's governing council to allow the college to do the initial approvals process itself. This would give the professional learning committee time to appoint its members and to publish its approval procedures.

This legislation is part of our comprehensive plan to ensure that Ontario's public education system can achieve excellence. For the 2001-02 school year, we've increased our investment in public education by more than \$360 million. This year we will spend over \$13.8 billion. Since our government came to office in 1995, education spending in Ontario has increased from \$12.9 billion to \$13.8 billion for this next school year.

We've increased funding and other support for students with special needs in Ontario. In fact, last year we increased spending on special education by 12%. That was the third year in a row that we've increased resources in this vital area. I can say to you that in my riding of Simcoe North, representing the two school boards, the Simcoe County District School Board and the Simcoe Muskoka Catholic District School Board, we

were fortunate enough to have our special-needs funding increased by up to 25%.

We're entirely committed, not just to introducing higher standards but to making sure the standards are met. To improve quality and accountability, we have established a more rigorous curriculum with higher standards. We have brought in new standardized testing to measure students' progress. We have created understandable report cards so that parents can see and evaluate exactly how their children are doing in school. We have also worked hard to strengthen parental involvement in education through school councils.

Now we're acting to assure parents and students across Ontario that teachers have the up-to-date knowledge and skills needed to help students reach their full potential. That is why we're implementing a comprehensive teacher-testing program and we are taking steps to provide the stability parents want and students need in a positive school environment.

Bill 80 is another step toward increased quality, more accountability and improved student achievement.

I'd like to take just a few moments to speak a little bit on the high school that I attended in Orillia. Park Street Collegiate Institute in Orillia is celebrating its 40th anniversary this year. I was very thankful that I was able to attend such a high school. All my brothers and sisters and my wife's family also attended this school, as well as my daughter and my son.

I have to talk a little bit about the co-instructional activities that we had at this school. I was able to participate in the football program and the track and field program. My daughter was able to play with the Park Street Collegiate Institute band. They travelled to Europe and played in Scotland and England. It's a great school. They taught me a lot, and I appreciate my years there.

Since I've been involved, particularly in education, but since I've been elected as an MPP, I've gotten to meet a lot of my former teachers over the last two years. I didn't realize they were all still around the Orillia area, but I've had the opportunity to visit them on a number of occasions and to say hello to them and talk to them about what they're doing today.

In particular, I'd like to thank one of my teachers, my former grades 12 and 13 math teacher, Mr K.G. Brown. I met him not too long ago, and Mr Brown is doing well and living in Orillia. I remember just at the end of our grade 13 calculus course, there was about a week and a half left in the year, he had finished the course, and he took the whole class aside and he taught us all about interest rates and amortization and all those sorts of things that have helped many of us throughout our careers.

The Acting Speaker: Comments and questions?

Ms Caroline Di Cocco (Sarnia-Lambton): The member from Simcoe North certainly did a lot of reading. I have to say I was waiting for some enthusiasm in his discourse. As I said, I listened intently.

One of the issues regarding this Bill 80, Stability and Excellence in Education Act, is that when it comes to

negotiating of teachers' contracts, although long term is a good idea, unfortunately school boards are funded only one year at a time. How can you negotiate when you don't have the tools to negotiate more than one year at a time? Because that's all the funding there is.

The other point has to do with the implementation of mandatory recertification for teachers. Every other profession self-directs this mandatory training or upgrading, but here we have it imposed by the government.

Restoring of extracurricular activities in high schools: I'd certainly like to see the definition of how they're going to put this flexibility in what they call their teaching time.

I certainly am going to vote against this bill, because this is not about accountability; it's about control. This government has this style of governing, and accountability is something that requires good management. Unfortunately, the one hammer that this government has is that of control, so they somehow feel that if they legislate something, it's going to happen arbitrarily in the front lines.

Again, I'm going to say that this bill about stability and excellence is somewhat of an oxymoron.

Ms Marilyn Churley (Toronto-Danforth): This bill really should be called an act to divert attention from the private school tax credit mess, because that's what it really is all about. You misnamed this one; you got it wrong. This government does this every time, Mr Speaker, they're in trouble. What do they do but lash out and bash? Who are they bashing, once again, in this bill? It's our education workers, and it is done purely to distract attention, to get people's attention away from this very unpopular tax credit crisis that they find themselves in.

Polls have been done and they show that Ontarians massively reject this tax credit scheme. A Strategic Communications poll for People for Education found that 67% of the people oppose the tax credit. Then a similar survey completed by the Ontario Institute for Studies in Education found that only 26% of Ontarians are in favour of the private school tax credit. That's 84% across.

That's what's going on here: "Let's get the teachers and educators all upset again. Let's start yet another crisis in the education system by bashing the educators." That's what they do here. One of the things which I find absolutely astounding, for instance, is that they want multi-year agreements. Well, Minister, where is the multi-year funding that the boards have said they desperately need to plan for the future?

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With this bill, what you're doing is demanding of the school boards what you yourself are refusing to do: you are demanding accountability here, but you are refusing to be accountable yourself. You say that you want to promote stability in this, but your Bill 160—remember that?—gutted the Education Relations Commission. This bill is here to divert attention, and we're not going to allow that to happen.

Mr Wayne Wettlaufer (Kitchener Centre): This two minutes gives me a little bit of an opportunity to support my colleague the member for Simcoe North for very well articulating the position of the government on this bill.

I do want to comment, if I may, on the comments by the member for Toronto-Danforth, who says that 64% or 67% of Ontarians oppose the tax credit scheme. It's really odd that she's reading the results of a poll that was commissioned by the teachers' unions. Obviously it was a push poll, one that was conducted and reported on by the National Post. A few days in advance, it was reported that 57% of Ontarians were indeed in favour of the tax credit scheme, and that was a much more objective poll.

In addition, I'd like to comment on the member for Sarnia-Lambton. It was really interesting. She commented on the fact that the government is imposing teacher testing upon the teachers' unions. Isn't that interesting? You said—through you, Speaker—that all other professions, if I have your quote correctly, do it on their own. Of course all other professions do it on their own, and they're happy to do it. But the teachers' unions were the ones who opposed any kind of teacher testing because they wanted to handle things their own way. So you can't have it both ways, I say to the Liberals. They seem to want to stand on both sides of the fence. I can tell you, it doesn't work.

Mr James J. Bradley (St Catharines): The last comment of the last member is right: he cannot do that. It's been tried, but he cannot.

Let me look at the initial comments that have been made by the government side in this case. It's all in the context of changes taking place in education.

I was at a funeral this morning for Bob O'Neill, who was a former director of education for what was then called the Lincoln County Roman Catholic Separate School Board. One of the people who eulogized him at the beginning of the service said something that caught my attention. He talked about the days of the late 1960s and early 1970s. He said massive changes were taking place in education at that time, and he said it reminded him of what was happening now. But he added to it, and this was not a political occasion at all; it was something that came forth from this gentlemen. He said that it was done in such a positive way then that people seemed to be part of a team, and it was so positive that people were buying into, if you will, the changes in education. I think that's because they were seen to be for the betterment of education, not simply to punish one side or to punish another side in a particular issue.

Where this started out, I must say, where I saw it, was in Bill 160. Bill 160 was essentially designed to take more people out of the classroom to save money from expenditure in education. If the government had been honest about that, people may not have liked it, but that was the real purpose of Bill 160. That's why we're always sceptical of many of these bills and what the real purpose is. In fact, if you read *Alien Invasion: How the Harris Tories Mismanaged Ontario*, by Ruth Cohen,

you'll find many things written about education there that talk about the real agenda of this government. It's unfortunate, because people require change from time to time in education. It's the motivation, the way it's done, that seems to be turning people off.

The Acting Speaker: The member for Simcoe North has two minutes to respond.

Mr Dunlop: I want to thank the member for Kitchener Centre for his comments, the member for St Catharines, the member for Toronto-Danforth. I'd like to thank my colleague from Sarnia-Lambton for her comments as well. I felt I was enthusiastic about it, maybe not as enthusiastic as I was watching golf over the weekend when our friend Mike Weir—we were hoping Mike would do a little bit better, but—

Interjection.

Mr Dunlop: He's an excellent representative, a young Ontarian doing very well in world competition.

I'd like to say I listened to all the comments here this evening. When we talk about co-instructional and about the activities that actually take place in schools, I'd like to just mention a few of the schools that I've attended as parliamentary assistant. I've visited a number of schools in my own riding as well as across the province and had an opportunity to open some new schools. I think most of the new schools I've opened have been by the Catholic boards, one in Stoney Creek, three in Vaughan-King, one in Maple and one in Penetanguishene—the new Canadian Martyrs Catholic School there. They're fantastic new schools; they're state of the art the way they're designed and built. They have the most modern architecture and highest-quality heating and ventilating systems which are up to the most modern standards of our Ontario building codes.

Mr Bradley: Better than the Legislature?

Mr Dunlop: I'm afraid they are better than the Legislature. They're very good.

But I've noticed in all the schools a great school spirit among the students and the staff, and I've enjoyed working with the parent councils as well. They've had great knowledge—

Interjection.

Mr Dunlop: Yes, they may be school councils but, Mr Levac, most of them are made up of parents.

I appreciate the opportunity to make comments and speak here this evening.

The Acting Speaker: The member's time is expired. Thank you. Further debate.

Applause.

Mr Gerard Kennedy (Parkdale-High Park): It is my privilege to join in this debate. I'll just let the raucous applause die down.

I see the members opposite in sort of low reprise about this, and so they should, so they should. This particular bill has on its cover the promise of rectifying so much of the damage this government has done. It actually has the audacity to say it's An Act to promote a stable learning environment—from the government that invented the opposite; from the government that brought chaos and

turmoil to every single thing it touched this year, the year before and the year before that.

Frankly, it is what even the most objective of observers say is the hallmark of the failed policy. What we have here—a little cornered, a little backed up, a little without its mandate—is an initiative from the Ministry of Education, while somewhere else in the province, not quite as we speak but not many hours ago, the Ministry of Finance carried on the real agenda, the real forward direction of this particular government with respect to the students and the direction of education in this province.

Of course we have a fairly subdued presentation today by the minister, by the assistant, because this is not about excellence in education. This is not about stability in our schools. This is about, instead, a government backpedalling ever so slightly, unable and unsure. This bill is just shot through with the kind of hesitant regret that this government has set as its low ambition to be able to provide some measure of where it's not actually attacking. Yet, even in that, we don't see that success. We don't see this government as fully sincere, even in that very small outlook, that very minimum of ambition for this government to bring about for the students of this province.

Before I continue I want to make sure I'm sharing my time with the member for Brant, the member for Kingston and the Islands, and the member for St Catharines.

This should have been, and this could have been, a turning of sorts for this government. They have tried a number of damaging policies. They have inflicted centralized status, Soviet-style thinking. They said last spring, "We have Bill 74. We're going to reach into your schools and we're going to tell you exactly how your teachers in every one of those 5,000 schools—or at least the 2,000 high schools—should deploy themselves. We, the government of the day here at Queen's Park, sitting in our plush chairs, will push buttons and we'll control the schools and the conditions for 700,000 high-school students." They swore up and down they would do that; they would bring some sort of order to the land. Instead, what did we get? We got thousands upon thousands of students deprived of their extracurricular activities, robbed of their chance to have a full learning experience, not by some accident of history or some inevitable force running one against another, but rather the conceit of a government that said it could control so much, that said it could actually run schools from Queen's Park.

The government said in Bill 74 it would actually send in inspectors if someone had the audacity to not provide exactly what somebody else thought they should. The minister herself would send in a personal emissary and visit the school and come back with a report. Then if the minister wanted to have something changed at that school, the minister would have to take over the school board. A practical matter? Perhaps not. But the minister nonetheless persevered.

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Hearings were held last spring, and time after time people stepped forward and said to the minister—at that

time it was the Minister of Education conducting hearings on education. It was a full committee and it at least sat for a few more days than the one we have currently. Well-intentioned parent after student after teacher after interested member of the public, especially at the end of the hearings, when they started to apprehend what was going on, expressed themselves, and this government continued as if there wasn't a single pebble thrown in the water. Not a ripple of counterthought emanated from the government benches.

So this school year began and we lost immeasurably. We lost the confidence of so many students because adults could not get their act together. If you look back in Hansard, you'll find a minister, you'll find a Premier, you'll find sundry other members of the government denying any responsibility, saying that they had no fault, no blame, no exercise of power when it came to the sudden disappearance, in 70 out of 72 boards, of the majority of extracurricular activities. Person after person wrote in, hit alarm bells, said, "Something can be done here. It's not too late; you could act. You could save this year. You could do something."

People started to make themselves heard, and students in particular started to demonstrate and show up outside here. Question period after question period you could hear certain students talking, or more likely after school. Many of the students decided they would come and hold their extracurricular activities right on the lawn. In fact, there were more extracurricular activities on the lawn of Queen's Park this year at some 12 different times that they came down and played soccer and music and band and so forth, because they weren't able to achieve that in their schools. All the time, the government of the day sat firmly with its head in the sand, not a reference to admission of responsibility, let alone culpability.

This government put 700,000 students not first, not second, not third, but way down the list. This is it. Here we are with literally days, almost minutes, left in the school year, and the government has finally come forward with some form of response to what everybody in almost every high school across the province has been talking about since the beginning of the school year last September. This is it, this Bill 80, this modest ambition, this barely-out-of-the-wrapper kind of thought of the government that they might actually come around to acknowledging a small amount of responsibility. It is in fact in the extracurricular portion of this bill, this tidy-up, this backing away, this sort of "Maybe we will, maybe we won't" kind of bill on the part of the government that they hope will do more for them in propaganda than it does in content, that we might actually find some common ground.

We, Mr Speaker, as you may recollect, brought in a bill last December, and part of it is mirrored in this bill today. We have to appreciate that the government has taken out an offensive part of the Education Act where they, in some almost inane thought of control, determined in advance of principals, ahead of teachers, not with any thought toward superintendents or people

who might actually live in the communities, parents and students, without having any regard for how things would actually work, wrote in the numbers that would control how many teachers would spend how many hours in front of the class, an absolutely Orwellian concept of how a government could operate in the lives of students.

Our plan was very simply titled Students First, a peace plan for education. That plan that Dalton McGuinty put forward was itself not a proposal to fix everything, but it was meant to be a start and it was meant to be what this bill, sadly, is not: it was timely. It was December when we brought this forward. Just as a few months earlier we'd said to each of the members of this House that there needed to be some action, there needed to be some initiation, something constructive done on the part of this House, because there's been way too much politics out there in the schools inflicted by this House, by members who may not have, to put it in its mildest form, a working knowledge of what exactly they're doing in the last number of years with all the changes that they are bringing upon the heads of students in this province who are just trying to get an education.

Some of the members opposite, I'm happy to acknowledge, actually took up that invitation and visited some of the schools. If they drew some of the same conclusions, however, many of them kept it to themselves. It was only on this side of the House we heard from people who said, "What we've seen in those schools is not acceptable. Something needs to be done. We need to put ourselves forward. We need to make an effort. We need to provide something better for the students who are there." That's where the peace plan came forward. Around December 14 this government was given a chance to vote, and they voted against it. They decided not to support the idea of peace in the schools at that time. With the minister—and I believe it was the last question on the last day of the House—the Premier of this province was still denying any level of responsibility.

So we see in the mention of things around extracurricular some level of hopefulness, but even there the modest ambition of this government overtakes it. Its inability to do something constructive for the education of this province's students impedes it. On the one hand the government is saying, "We might have been wrong. We could have been misguided. We may have done a lot of damage and we're going to back away from some of the most contentious things we did a year ago and said would be in the interest of students. We will take away this silly plan to force teachers to do something voluntarily"—or some other contorted version of government power—"and we will also adjust this centrepiece of our control," which is some number that for most people means nothing but that actually wreaked havoc in the day-to-day lives of the schools and the children who are trying to get an education in our high schools.

But even there the government could not see fit to follow the recommendation we put forward in our peace plan. Just reinvest less than 10% of the money you've

taken out of all the schools and allow for a different, more flexible arrangement. You could still have the thing you used to claim you wanted in your television commercials, the 1,250 minutes. But somehow this government wasn't prepared to do that, and instead this bill, sadly and unfortunately, increases the class sizes in the high schools in this province. It reverses the trend that the people of this province need to know the signal identification of what is commitment to some level of excellence, which is a chance for children and students in this province to be treated by their individual needs.

This government has said, no, they've got other priorities. So in this bill, which we oppose vehemently, is the idea, the compromise that the government will not pay for the fixing of its own mistakes. Instead, who will pay that price? The students of this province will still find it difficult to access their teachers, to get that in-between time, to get that individual attention, because this bill raises the average class size in high school from 21 up to 22, and we know that average class size has an infinite elasticity. We know about the English classes with 38 and 40 people in them. We know about the kind of time it's taking to mark assignments, the kind of effort that's being made to maintain quality in the face of what is at the heart of this bill. The heart of this bill is a lack of commitment, a lack of fundamental commitment by this government to public education doing well, to excellence for all in education.

If you read it, page after page, what are we really talking about in this bill today? This is an initiative, perhaps the major initiative, from the Ministry of Education. There is a more significant initiative that would send public money into private schools, but that's being handled by the Ministry of Finance and the Ministry of Education is shut out. So contra to that, what is the Ministry of Education doing for the students of this province after one of the most troubled years that has ever occurred in this province vis-à-vis their ability to get an education, more confluences of problems, of difficulties, of initiatives that have gone awry from this government? What do they bring us? They bring us some preparations for the next strike. That's what part of this bill is about: the terms for future strikes, as if somehow that's the best we can do.

Then they say to us, "We also need to talk"—for about the 10th or 11th time—"about a notion that somebody in our back room dreamed up about testing teachers"—you know, the notion that everybody out there loves to pieces. Everybody has been tested by teachers and so, reasoned the brain trust opposite, people would be in favour of testing the teachers—right back at them. So when the minister presented this initiative earlier this month, she stood against a backdrop that said, "Testing teachers," over and over and over. And what instead we have today is a government, as its leaked government document said last year, that has no teacher test. Bill 80 has many sins but it doesn't have in it the teacher test this government promised over and over again.

Hon Mrs Ecker: It has exactly what we promised.

Mr Kennedy: It said it would have a pen-and-paper test. We see this limited ambition turn into not even the conviction of its bad ideas. Even those are sliding by the wayside. Unfortunately, there isn't the energy, there isn't the commitment, there isn't the determination to fix those things, to do something about it.

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So what do we read into this initiative? A government talks about timelines that may or may not affect 40,000 teachers next year. They will have five years to do seven or 14 courses eventually. They have no capacity, no ability in this outlook of theirs to actually find a way to talk to the teachers of this province. That isn't in the vocabulary of the people opposite.

Instead, they are imposing upon the teachers and upon their professional body, the Ontario College of Teachers, their version of what it is to make teachers accountable. What they have told the rest of the province is a teachers' test—what is it? It's something they rented from an American company, which, to give them credit, is pretty much where most of the other ideas of this government have come from. When in doubt, go right to the Republican closet. What the government of the day doesn't understand is that they're getting the marked-down items. They're getting all the policies that never worked anywhere else. They're getting all the things that governments of other places have tried and failed with. Why? Because governments elsewhere have found out it's not enough to stand here in the Legislature, as bold and courageous as this group used to be, and stamp your feet and demand things. That just doesn't work. That's what we have here today: we have the government backing away from some of the things they did. They're saying on the extracurricular thing, "Well, I guess we can't boss teachers around and just demand that they do extracurricular activities."

They knew that from the beginning. That was simply part of the posture, part of the outlook they thought would substitute for any fresh ideas, any outlook that would actually address the problems and the challenges that exist. They thought they could get away with simply requiring things, without having to do the hard work, the heavy lifting of actually finding out what it would take to put some encouragement out there, to make things happen, to actually have influence on the flow of events in the schools rather than just throwing things in.

Instead, what we have in this government's approach to what they call teacher testing, what they refer to in the legislation as recertification, is simply antagonism. It is a dangerous antagonism, because what it represents is this government's inability to do even the basics well. The fundamentals of running government are getting the most from the people who work for the government. This government has not the insight, has not the temperament. Ultimately, six years later, it stands fairly well identified as not having the fundamental ability to get the province's teachers to be able to appreciate some fundamental respect and a working environment that allows them to impart—because I think if the members

opposite were being honest, they would acknowledge here in this House that the vast majority of those teachers are working for the purpose not of the holidays that some of the members opposite refer to or some of the other things they talk about in terms of the federations or the unions that they're so afraid of—in fact, we invited some of the members opposite to go and visit schools, and they said they wouldn't; they'd bus the kids to come to them.

What are we at, at a certain stage in time, when members opposite are afraid to walk into their neighbourhood schools? It's some strange and contorted thing. Instead, we have from this government something they would not wish to see described as an attack, but it is antagonism. They know full well that the teachers out there are making their determinations. Some 4,400 left the profession of teaching last year for reasons other than retirement. They left, a huge increase from the year before and from two years before that, because of this incessant policy of active discouragement and undermining of a profession, but also of a devotion. The only "public" in public education is the public-interest aspirations of those people who work in it, and because this government doesn't even take it for granted, because this government abuses that idea, it can't understand how to foster it. Therefore we sit today with this bill that says simply to the teachers of this province, "We're going to push and push and push you in any manner, shape, way or form that we find convenient."

Even as this government finds itself cornered, even as this ministry has surrendered control over its own responsibilities to another ministry that is out on the road, changing the face of education, or at least attempting to, but it has been well caught by the public of this province, this government, this ministry stands behind with a bill to antagonize teachers, to increase class sizes without the ability—which I think the people of this province would have applauded. Notwithstanding all that has gone on before, I think the people of this province would have stood up and cheered if the government had said, "We made a mistake with respect to extracurricular activities. We're going to fix it, and we're going to fix it to the satisfaction of everybody involved. We're going to bring the students in, we're going to listen to them accurately for once, we're going to find the means by which we can sustain those extracurricular activities," and this government, perhaps in the form of the minister, perhaps in the form of the Premier, would say, "We, for once, will stop blaming people and will take responsibility, will bring it back in this province, will do that thing because it's the right thing to do and because it will put students first."

Instead, we have this rather tawdry imitation of what could have been the taking of responsibility, what could have been the road back for this government and for this Ministry of Education. I think they would have found out there in the real world that they've so well cocooned themselves from, people, parents, who have been activated, who have been perhaps startled by this initiative to put public funds into private schools, people who have

been activated long before by the cutbacks taking place in their neighbourhoods. They would have found those people if they had made a declaration to have peace and stability in the schools and to meet it and to bring together some meaningful collection of people, some eminent citizens, some students, some parents, representatives of the teachers that they're so afraid of, to bring those people together and find a way that other jurisdictions have found to strike a real partnership, a real means by which we can say, "What will it take for us to find a way that everyone can benefit?"

It is hard to work this into their vocabulary. It doesn't jump off the page for the members opposite. It doesn't even, I think, register as a constant that there could be a means by which the interests of this province could be brought together and be stronger on the whole than the individual interests which they've spent so much of their time decrying. This is somehow not only not present in this bill, but we have yet to see it acted upon in any way. So we're not surprised but we remain disappointed, because this is what we needed. This is the signal that the people of the province have been looking for.

What the people of the province are only just starting to appreciate is that there's a reason we have this so-so bill. There's a reason why we have a bill that retreats on one hand and attacks on the other. There's a reason why we have this bill that clings to election promises that huge documents prepared for the cabinet said have no meaning, like teacher testing and so forth. They cling to that because they have no other place to go. As we'll find out in the estimates committee tomorrow and the next day and next week, and as is already available to people who examine the financing of this particular endeavour of government, of education, which you think would find a place of prominence, instead people across the province are waking up to the fact that the members opposite have allowed funding in this province to be cut by \$958 per student, that they have permitted the deterioration of the financial commitment to the students in this province to the tune of over a 12% reduction for each and every student—some \$958 less. When they stand, it will be their wont to ascribe savings through administration. Less than 8% of that money was saved in administration. In fact, it has come from the direct learning experiences, from the number of teachers, from the support staff, from the provision of services to special-needs children, which we'll hear much more about in the days to come.

But these members of government have, in effect, abdicated. At a time when the revenues of this province have been increasing by \$14 billion, the commitment of this government to fund and to assist the education of students has been reduced by almost \$2 billion. That's the heart of this bill. When you look and try to find it, there is no commitment. When you look and try to find the motivation, it's simply the fact that this government is not committed to public education. That, of course, while it's to be ciphered from this bill, while it's to be sussed out from what is included here in the half-hearted measures we find within it, where it's really discovered,

where the people of the province are really connecting with the agenda of this government is the initiative of the Minister of Finance—the Minister of Finance who, in a few days' time, will put to this House an initiative, the first of any jurisdiction in North America, and he will say to us, "Pass a private school voucher," a tax credit, if you will, but every other jurisdiction that has tried this on—and rejected it, by the way—calls it a voucher.

We on this side of the House call it a voucher because, even though, somewhat like the tenor of this bill, the members of the government lack their convictions in this regard, lack the courage to stand up and say this is some neo-conservative, very contorted version of the rented ideology from the south—instead they bring this forward to us in the guise of a tax credit. In fact, a lot of the members opposite trying to explain this in their home ridings have said, "It's not education policy, it's tax policy," and they don't even have the gumption to stand up to the plate and say, "This is what we want to do."

2020

"We are not going to fight any more for excellence in public education," say the members of the Harris government. "We instead are going to give up and give bonuses to people to leave." That's what's really up, but that's not referred to very directly in Bill 80. In Bill 80 we see what's left over. We see what's left over in terms of the education mandate, we see what's left over in terms of the tidying up. That is the best this government seems to be able to muster, at a time when we had hoped to see many other things. We had hoped to see, certainly for a government that had any ambition to see peace and the end of turmoil, the introduction of stability into the schools, at least some vision, some kind of way forward.

We're happy to remind this government that Dalton McGuinty put forward a vision here on March 1, and it remains the outlook and the blueprint for bringing this province forward in terms of education. But it's not easy to achieve for this government. They may hear it, they may wish to have it, but it takes the commitment that is so badly missing from this. Instead, when we talk about excellence for all, it is built on some fundamental commitment to put education first, to put it ahead of the single-minded tax cuts this government has only the capacity to consider. Instead, we would cap class sizes in the lower grades: from JK to grade 3, we would cap them at 20.

This government has let them rise. In fact, 37%—some 500,000 children—are in classes of 26 or more in this province. Numbers as high as 32 and 35 were presented today to the committee that's listening to this initiative of public funds into private schools that the Ministry of Finance is putting on. That's what is going on in our province. They have allowed the young children of this province to not receive the attention they deserve.

We say that's simply not acceptable, it's not desirable. It is achievable that we can do much, much better. And we say a cap of 20, which would allow for the things that every person in this House—because every person in this House has now been exposed to the insight. Sometimes

they've heard about the hard-wiring of the brain, others about the anticipation of social problems, of physiological problems, of learning difficulties that can be anticipated in those early years. The members of this House, the responsible, honourable members of this House, know there are things we could design and do today that would make a difference in the lives of thousands, if not the majority, of children in primary school today. This House is capable of that, but it's not on the agenda, and it's certainly not in Bill 80.

But that vision, that idea of sharing excellence, of celebrating the excellence in the public school system, in the publicly funded schools that we have, that's the route, the high road this government missed when it gave us the leftovers of Bill 80. That's what the government could have said to us today. They could have had us cheering over here had they said, "We believe in this excellence. We believe in encouraging teachers to do better. We believe in providing incentives, not just pushing people around. We're capable of being able to say, 'Here's what we want. You tell us how to get it.'" And finding nourishing ideas like lighthouse programs that would be funded by the government to encourage things that are going well—that they don't stay in that one school but get shared around. Instead of getting overcrowded schools where things are happening that people like, we would have an ability, a capacity to have those things brought from one school to another, from one board to another, and to allow people to have access to them.

Where there are challenges—and there are significant challenges in schools, sometimes even in boards—there are things that need to be addressed, and this government would rather sit and crunch numbers and dictate formulas and hand out orders and do the things that have been proven, over and over again, to be the hallmark of an ineffective, incapable initiative when it comes to education. It failed in Thatcher's Britain. It failed in untold states in the US that now find themselves begging for teachers and for other professionals to come back into their scorched earth education fields. Because it doesn't make any sense. It's the easy thing to do, but we're six years on in the government, and unless it's going to commit itself to excellence, it's stuck on this low road.

There they are, face down in the tall reeds, as somebody I used to know used to say. This government is stuck—stuck in its old ways and unable to look forward, because the view from down there doesn't look like much. This government has been slogging and they've been fighting and they've been struggling against every constructive force that is out there. They have the audacity to say to the parents and the students of this province, as they did one year ago—they make a tumultuous statement and hope that if they close their eyes and stamp their feet, that's what's going to happen, by gosh, in this province. So last year they said they'd order the teachers of this province to conduct extracurricular activities. That's how it will happen when they put on a central staffing formula that creates chaos all around the province: they'll just make it happen.

Today, they'll say, "We demand there be a three-year contract. We demand that that happen so there are no untoward activities around the time of the next election." Is there a single effort being made by this government to facilitate that, to make that happen, to create the conditions where it's likely, to see where the students would actually be well served by that process? Have they talked about three years with the funding? Have they looked at the conditions under which they could hold out to the teachers and students of this province some confidence that things would get better—things, I would say, that wouldn't cost them any money—to actually build up the confidence and show that they're focused like a laser beam on what is needed to make our schools better and better?

That's what the parents of this province are looking for and that's what the businesses of this province are looking for. But they're starting to come around that this is a government that only knows how to do things on the cheap, that when confronted with two choices is always taking the low road, that isn't able to do much more than this particular hemming and hawing, this cheap version of the public interest for which we've paid such a high price in health care and education and everything else.

At the end of the day, what do we have in Bill 80? We have a couple of words, "stability" and "excellence," totally undermined by a government that doesn't know what they mean.

Mr Dave Levac (Brant): Before I get into the bill itself, I want to compliment the member from Parkdale-High Park for obviously presenting to us a passion that is necessary when dealing with education, and I know that the members from Kingston and the Islands and St Catharines will do the same when their time arises.

As I have done in the past, I'd like to read into the record the name of the bill we are debating and then maybe offer some observations of what it really should be named. It is Bill 80, An Act to promote a stable learning environment and support teacher excellence. Maybe it could be renamed Bill 80, An Act to continue an unstable learning environment and stifle teacher excellence, or possibly An Act to divert attention from bad legislation by introducing bad legislation.

The bad legislation I'm referring to is obviously the budget, which includes a section to allow for tax credits to private schools; bad legislation in that maybe I should ask this question: what was the largest, single most extensive expenditure in the budget? Was it education? No. Was it health care? No. Was it the environment? No. Was it senior citizens? No, although the Premier made a point to make sure how he felt about them. It was a \$2.2-billion corporate tax cut. But I think it had a lot to do with education, because the people of Ontario are becoming educated. They're now beginning to see and unravel what Bill 80 does bring to us.

It will not bring stability. We had the Minister of Education almost apologizing, in practically an apologetic tone, in terms of the crisis that had been created in education since 1995. We caught somebody on

tape—and thank God for video—musing about the potential of creating a crisis in education, a devious plan that might be perceived as, "It's a way in which we could get our fingers in the pie and convince people. They're not going to see through this and realize we're going to take more money out of the education system." Who knows? But I'll tell you, there is a crisis. There was one then and there is one now.

Let's talk a little bit about the one now. I have a question, maybe a few questions, for us and the general public at large: how are your music programs? How are your phys ed programs? How are the art programs in your school? How is the special ed? Are the children receiving better special ed than they did five years ago, six years ago? Have we laid off more educational assistants than we ever have before? The answer is yes. Two of my school boards are now faced with layoffs across the board, and shortages in their budgets. They can't provide the special education that was once the envy of, shall I say, Canada and possibly North America, the way we made our students with special needs inclusive.

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Fortunately, in my career as an educator, I saw a board that decided to focus its attention on providing special education, a board that said, "No child will be left behind," and had a vision. That vision required partnership from all the parents, even the parents who did not have a student in special needs. They understood and saw the value of the great equalizer called education. The parents came on board. The trustees were on board. The teachers were on board. The support workers and staff were on board. The province at that time was on board. In order to fulfil that vision, we needed all of the inclusive partnerships, and I dare say the community was on board.

What happened? The government decided it needed to shortchange the amount of money it was going to put into special education, bragging, "We've put in more money than ever before, than any other government possible." They haven't accounted for inflation. They haven't accounted for enrolment increase. They haven't accounted for the increase in the students who have special needs.

What did they do? I want to make sure people understand this. The ISA grants, the grants that are created to give that money to the specific child who is being reviewed, when they were first introduced, shocked the government. It shocked the government so much because it had to give up more money to fulfil the needs, according to their own plans, to hire more educational assistants.

I was a principal at that time who had to go through that process. In my school alone, I had three special education assistants. In the next year, what did the government do to be equal in its funding for those students, to make sure that enormous amount of money had to be spent? The government did not increase that funding. What the government did was raise the bar of

how you qualify to get the grant for that special-needs student. So the three students who had special education assistants in that school lost them the following year because they weren't special needs enough. But the year before they were, according to the ministry's own specifications. The specs made it very clear, "My gosh, that student needs a special education assistant in order to equalize them, to give them the same opportunity that anyone else has in that school."

They dropped those grants. Those grants shrank. The amount of money that was available to them was dropped. So we had to remove from those parents the security and comfort they felt knowing they had a special education assistant helping and guiding their child. Speaking personally, those three children today are doing worse than they were when I left in June 1999 because they're not getting the special education assistance they need. The grant money was not there to provide it for them.

I want to provide individual testimony that it was wrong then and it's wrong now. Those students need that help and we need to provide that help. Don't raise the bar in order to stop paying the money for them; pay the money for it. We need to equalize that. You're either going to pay now or you'll pay later.

I want to talk specifically about what was mentioned earlier about extracurricular activities. It was almost insulting to find out that the minister thought she had to put in regulations to show plans for extracurriculars in a school. That's a bunch of bunk. The reality is, I would suspect that 99%—if not 100%—of the principals in the high schools in this province know exactly what's going on in the extracurriculars. And they always organized. As a matter of fact, they organized either in June for that next year, or in August or July. They had meetings with their department heads, they had meetings with all the coaches, and they assigned. They worked together collectively and collegially and included parents in the discussion. That was taking place in most parts of Ontario.

We don't need any regulations. We need respect. We need partnership. We need an appreciation of the fact that these activities—save and except a few of the spots in Ontario that, due to the bullying of the government, refuse to participate—have been going on for years and years and, I will say, will continue to go on for years and years because of the love of it. You can legislate all you want, but you can't remove the love of the profession.

Here I'll editorialize just a little bit, as a little shot of sarcasm: "Some of my best friends are teachers." I've heard that so many times in this Legislature it's almost beginning to get me sick. "My wife is an educator," "My brother is an educator," "My mother was an educator," and yet, "I still proceed to do what I want to do to them."

That's important for us to recognize: "do to them," as opposed to forming the partnerships that are necessary in order to achieve. What we need in this province is a love affair with education, and if we don't accomplish that, we are doomed in this province. We have to offer legislation

that shows we understand that, and I want to tell you clearly, I support, 100% and beyond, the removal of this aggregate, board-wide-average junk that's going on. It doesn't affect schools at all.

Adopt and accept the reality that we're asking for: a definite class size per class across the province, junior kindergarten to grade 3. That is the single most important thing that could be done in legislation in this province to improve and then create the atmosphere for a love affair with education.

Finally, on a personal note again, if you want stability and excellence, I'll refer to a situation that's happening in my board, the Grand Erie public board, because of Bill 160 and funding. BCI, Brantford Collegiate, celebrated 90 years of existence in education and excellence, and they have to consider closure because the funding formula will not allow them to repair a school that is that old. They need an infusion of at least \$20 million to \$25 million for improvement. It can't be found because the board, in its amalgamation and all the funny formulas that were created that counted caretakers' space as classroom space, negates that opportunity.

BCI deserves to stay open; the community wants it open; both boards want it open. Everybody in the province of Ontario knows that they've got these kinds of circumstances across the province. I want the board to stand up and say to the ministry, "You'd better start paying attention to our special circumstances, because this school needs to survive. If you close it, two more schools go in crisis. They can't accommodate the students that you're going to be putting out of work."

I could go on forever, but I'm going to defer to my colleague from Kingston and the Islands.

Mr John Gerretsen (Kingston and the Islands): I'm pleased to speak on this bill today as well, although I suppose the people of Ontario must be wondering, is education the only thing these people talk about at Queen's Park? It seems to me that just about every bill that's being brought in this House attacks the basic ingredient of education itself over and over again, and that is that they attack the teachers of this province.

You know, it has bothered me for the last three to four years in that I think everyone realizes that if you want to succeed, whether it's in business, whether it's in a hospital, whether it's in education or whether it's in running a municipality, the people who work with you, the people who work for you, the people who are there to implement what you want to do—you must have them on your side. It is an absolute necessity for success. Yet this government, under the guise of making things better, when the people out there darn well know that they're not getting better, is doing exactly the opposite, over and over again. Now, they're very smart about it. They never attack individual teachers themselves. They always attack the teachers' federations, the union bosses. It's their fault. It's not the teachers' fault; it's the union bosses' fault.

You and I know, Speaker, that what gives the excellence to our children on an ongoing basis in schools, from kindergarten right through grade 13 and into the

post-secondary system, are the teachers they meet along the way, the teachers who teach them things along the way. I can tell you without any hesitation whatsoever that most of the teachers I speak to, whether socially, in an official capacity or whatever, feel totally belaboured, feel totally worn out, feel totally attacked, and are tired of it all.

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They want to do their best, and most of them do their best. I was in a school earlier today, St Paul's school in Kingston, and a couple of weeks ago I was at First Avenue school in Kingston. Before that, I was in some of the high schools, such as Holy Cross, Regiopolis/Notre Dame and Kingston Collegiate. All of these schools have got excellent teachers, teachers who are willing to give the best of themselves to their students on an ongoing basis. But all of these people—or nearly all of them; I won't say all of them because I certainly didn't speak to all of them—feel under constant attack from this government. As we've already heard, many of them are leaving voluntarily before retirement age.

That's wrong. When the rest of the world out there is spending more on education, why is it that we are one of the very few jurisdictions, during these economic boom times that we've had over the last six years, that is actually spending less on education? We all intuitively realize that if we want to get our young people ready for the modern world, a world in which they may have to change jobs three or four times, in which they may have three or four different careers, we darn well know that to get them ready for that, they need more education, they need more encouragement, and we need to spend more money on education. We need to invest more in the education of our young people. Why are we doing the reverse?

As has already been pointed out, the government's own budget documents clearly indicate that if you go back five years, the actual amount of money that's being spent now on education at the primary and secondary school levels, the two levels combined, is on average \$958 less per student than what we were spending four to five years ago. That's a fact. The minister can't deny that. It means that there are fewer resources available, whether for teaching supplies, for capital or for teaching salaries.

So now they've come up with this ingenious scheme this year that they want all of the contracts in this province to end at the same time, three years from now. It's kind of like, how can you negotiate with the federation a three-year contract when, in effect, the boards have only been guaranteed one year's money?

I know what the government members will say, "Well, the boards will get money, obviously, in years 2 and 3." But how much money? You're expecting the boards of education to negotiate contracts with their federations over the next three years, when they really don't know how much you are going to give the boards in year 2 and year 3. How do you expect them to negotiate a contract that's going to have any meaning at all?

The way around it is the fact that the government has now said, "I guess it's OK if we increase the class sizes from an average of 20 to 21." You and I know that in reality that means it's not just one student per class, but when you take all the different configurations into account, it may very well mean two, three or four students in a particular class. It just isn't right. The people of Ontario know it isn't right, and yet this government keeps insisting on doing it.

Why don't they at least have the intellectual honesty to say, "Look, we as a government believe that we should be spending less on education." I guess this is the thing that has surprised me most about this government over the last four to five years, that they never tell you what's really happening. They never say they are cutting money here, taking it out. No, they're always saying they're putting more in, they're making it better by, in effect, cutting.

Yet the people out there, whether we're talking about education or health care, darn well know that the systems that we have, whether it's education or health care, aren't as good as they were, or didn't operate as well as they did or didn't look after the needs of people as well as they did four to five years ago. You talk to the average person out there and they realize that it just isn't working.

The member across is shaking his head to say it isn't so. Maybe he's talking to other people than I am, but I can tell you, I talk to a lot of people, and not just my Liberal friends but people from across my community, and the general perception is that when you're talking about health care and education, things just aren't as good as they were five years ago. The reason is that you're not putting as much money into it by way of an investment.

I could be talking about the mandatory re-certification of teachers. I've got less than a minute left here, but why is it that you want to put everything down to the nth degree as to what this committee should do, what courses should be given and how much control you have on it? You don't do that with respect to any other self-regulating profession. Why is it that you have this apparent hate on for the teachers, that they cannot realize what courses they should be taking themselves? My golly, most teachers for the last 40 or 50 years, and maybe for many years before that, have taken additional and upgrading courses on an ongoing basis. They want to improve their teaching methodologies. They want to improve their knowledge about a particular subject.

I say to the government, I know your spin doctors are trying to convince you that you're doing the right thing, but I'm telling you, you're not. The wording and the contents of this act clearly show that you still haven't discovered the idea that the only way we're going to improve in this province is by reinvesting in education rather than by tearing it down.

Mr Bradley: I regret I have nine minutes to speak on this bill, but that's the way the Legislative Assembly is these days under the new rules that are imposed in the

Legislature. There are some days when it should be less than nine minutes—

Mr Howard Hampton (Kenora-Rainy River): Jim, you could have spoken this afternoon.

Mr Bradley: Howie, I always like to say to you, you like to play the little game. I'm going to address that. You like to play the little game of "I'm going to oppose the pay increase but I'll bloody well put it in my pocket when it's all finished." That's what you are, you're a phony and a hypocrite.

The Acting Speaker (Mr David Christopherson): Order. The member knows that's unparliamentary and I would ask him to withdraw.

Mr Bradley: Of course I will withdraw.

The Acting Speaker: And I would remind the member that all comments are through the Chair.

Mr Bradley: Absolutely.

Mr Hampton: Jim, you could have spoken this afternoon.

Mr Bradley: Well, you just wait. I'm just waiting to see whether the leader of the third party, the leader of the New Democratic Party, when all is said and done, puts the money in his pocket, because that's the true test of whether a person is opposed or not. You see, you can construct a reason for being opposed to something—constitutional or something else—but when it comes down to it, you ask the question, "Will you put the money in your pocket at the end of the day?" That's what I ask. That's all I ask of the member. In fact, if he says to members of the assembly today that he will not accept any pay raise—

Mr Hampton: I think I hit a nerve.

The Acting Speaker: Order. The leader of the third party is not helping matters.

Mr Bradley:—then I will be more than delighted to pay a compliment to him. If he says he will not accept a pay raise, I tell you, I'll be the first to applaud him and congratulate him. But I think somehow there will be a lot of protestation and, at the end of the day, the wallet will be full of the new raise, if there happens to be a new raise that has been given to members of the Legislature.

I will go back to Bill 160 now, because I think that is an important prelude to this particular piece of legislation. I remember a very extensive debate on Bill 160. Bill 160 was not the bill that implemented the social contract in Ontario, which abrogated every collective agreement this province ever had. It was not that bill, brought in by the Rae government, of which the present leader of the New Democratic Party was a member, but Bill 160 had implications for this Legislature that perhaps many people didn't notice. One of those implications was that it was going to reduce the number of teaching positions in secondary schools.

I remember being near a scrum in a hallway with Dave Johnson, who was then the Minister of Education, and they asked him, "How many fewer secondary school teachers will there be as a result of this?" Dave was pretty new to the job at the time and I think he estimated somewhere around 7,500 fewer teaching positions within

secondary schools. That's what it was all about, and that's why when we look at pieces of legislation such as this, we always wonder, is there something about this bill, is there a motivation which isn't good about the bill? Because you can find, in any bill, some good things about it and some negative things about it.

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I think what you have to look at, however, is the total atmosphere in education. I mentioned being at a funeral for Bob O'Neill, who was a former director of education for the then Lincoln County Roman Catholic Separate School Board. I just happened to note that one of the people giving the eulogy—it was certainly not a partisan or political event at all—caught himself in the middle of it saying there was a massive change taking place in the late 1960s and early 1970s. But he said, "You know, it was positive then. People embraced that change. They liked the change, and yet they were being impacted by it." I think it was because they felt that the motivation of the government of the day, which was the Davis administration, was positive for education, as opposed to simply attacking teachers within the system.

One of the other indicators is the number of early retirements. I can't believe the number of people who now retire not the year they can retire, not the end of the term, not the end of the month, but the day they can get out of the system, they leave the system. That's an indication that there's something wrong there. These are some of the people whose whole lives revolved around education and what contribution they could make to education. I really lament that, because we're losing a lot of mentors, we're losing a lot of experience. Yes, some of these people would move on in any event in a few years, but when you see people leaving the system, that is an indication.

Not only that, but Gerard Kennedy mentioned earlier today the number of people leaving for non-retirement reasons. It's disconcerting when you see that happen. Welcome the new people in, by all means, but to lose some of that experience because they're totally turned off by the circumstances they face, that's something you have to address, something that is really wrong in this system. It's going to be very hard to turn around.

I also notice something else happening and it's been happening for some time. The employees of local boards of education unwisely are training their guns on the members of the board of education. Boards of education now have basically no power and all of the responsibility, where they take all of the flack.

The other day, on Tuesday night, there was a confrontation between trustees and the board of education, which had to make \$5 million worth of cuts to education and employees. These were non-teaching employees. They were not regular classroom teachers but educational assistants, people who assisted kids. There was going to be a cutback in what their responsibilities would be, the hours and so on. Who were they aiming it at? The local board of education. They must be smiling from ear to ear in the Premier's office at the fact that we have Catholic

boards fighting public boards, we have one federation fighting another federation, we have secondary against elementary. In other words, there is total disruption and chaos that ensues out there. That's unfortunate, because I think we've had a great education system and I think we can have one again.

Extracurricular activities are an example. I know people who for years and years coached sports or looked after the music program or were involved in the arts or the debating club or something, and they did it voluntarily. When the government said, "You're going to do it because we say you're going to do it," boy, that turned a lot of those people off. It's going to be hard, again, to get them back. You may get them back because they have to or there are new rules, but it won't be with the same enthusiasm that was once there.

I listened to Eric Mitchinson, who was a superintendent with the board of education and is now retiring. Eric started the Young Progressive Conservative Club at the University of Waterloo. He's been a long-time Conservative and a friend of mine. He's been a long-time person working for other people, including the Harris government. He's totally disillusioned. He appeared the other day before the committee that was dealing with the education tax credit, totally disillusioned. This was a party he had given so much time to and a party he had helped start in terms of its club at Waterloo University, and he's just washed his hands of it. There were many other people there of the same ilk, people I've known for years who are Tories. One's uncle was my predecessor. In fact, he defeated me in an election. He was speaking negatively about what is happening to education. So I ask the more moderate members of the administration over there to consider that, to consider the state of affairs within education. Every time you bring in a bill that puts the boots to the teachers, you make it a more difficult place in which to work. The atmosphere is not as much fun as it used to be—and I say "fun" in the best sense.

When we look at legislation like this—and this bill will be broken down into some detail—I hope you will consider amendments to the legislation or withdrawal of the legislation in parts where it is going to impact negatively upon the atmosphere in education and the positive, lively events of education over the years. Just ask some of the strong Conservative supporters over the years who are disillusioned because of this, and perhaps it will give you the message as to why these individuals are turned off. Let's make education a fun thing again, a good thing again, for our province.

The Acting Speaker: It is now time for questions and comments.

Mr Hampton: I want to comment first on the comments of the member for St Catharines. I really didn't mean to offend him by saying he could have had some speaking time this afternoon, but I gather I must have struck a nerve there. Let me say to the member, though, that I think he has a good sense of what is happening in the education system.

It is highly unusual to see teachers leave the classroom on the very day they are eligible to retire. It has always been the practice in this province that in the year a teacher can retire, they teach until the end of the year. At the very least they teach until the end of the session they're in. When teachers start leaving on the very day—if it's a Monday, a Tuesday, a Thursday, the day before exams—they go, they leave, they can't wait to get out of there.

What is also true is that if you look into the past of the teachers who want to leave the system most earnestly, who can't wait to get out the door, you'll find that in many cases they are the very teachers who have established a reputation for being so dedicated to education. They are the very teachers who volunteer to coach basketball, to take care of the school band, to take care of some other school extracurricular activity. Now they are the very people who can't wait to get out the door as soon as their retirement day comes. I think that's an indication of how badly off the rails this government has gone in its attacks on education, in its desire to extract the money. In its desire to create a crisis, it has undermined the whole of the system. That's what's so bad.

Hon Brad Clark (Minister of Transportation): What I lament about what's happening in education in Ontario is how polarized the debate has become and how members in the House can muse that government members are somehow trying to hurt children and trying to hurt teachers, that 57 members on this side of the House somehow conspire nightly to come up with new ways to hurt children, new ways to attack teachers. And those—

Mr Hampton: No, you care about something more.

Hon Mr Clark: The leader of the third party just proves my point by heckling. Shameful. The leader of the third party there may disagree with us, and does disagree with us, on how we are going about doing things. He disagrees that we should have standardized testing. He disagrees that we needed new curriculum. He disagreed on any number of things. But in no way at any time should he or any other member of this House turn around and state that this is proof the government on this side is trying to hurt kids, is trying to hurt teachers, is attacking. At the end of the day, members of the government on this side believe in the children of Ontario. We believe we are trying to improve the system. You may doubt that. You're free to doubt that. You're not free to attack my motives. You're not free to question my motives. You're not free to say this is some type of conspiracy that we're trying to hurt children, because no one on this side of the House is trying to do that. So the member on that side clearly doesn't understand it.

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Mr Levac: You're doing it to the kids in special ed.

The Acting Speaker: Order. That includes the member from Brant.

Hon Mr Clark: We believe in the policies we're trying to implement, and we'll continue to do our best to implement the policies we believe in.

Mr Mario Sergio (York West): My compliments to the previous speakers: Mr Kennedy from Parkdale and the members from Brant, Kingston and the Islands, and St Catharines as well—a wonderful rendition.

Interjection.

Mr Sergio: Yes, of course I'm coming to that.

When you talk about excellence and stability in our school system, I guess you have to be seen to do that and not just say that. You cannot have stability in the school system, you cannot have stability among the teachers, the parents, the unions and everybody else when you create crisis after crisis. You cannot have excellence in our school system when you jump from chaos to chaos. You cannot do that. You've got to be there and work with them. You just can't say, "We're going to do it our way or no way whatsoever."

We see what is happening. If we're at this particular juncture, it's because of the actions of the government. It's not so much what they did; it's how they've been going around all the time. This particular bill is an indication of what they want to do and how they want to accomplish where they want to go. It is just to prepare the road for private schools with their tax credit, no more, no less. Otherwise, why would they introduce this piece of legislation which deals with some minor changes like the implementation of mandatory recertification of teachers? This is already happening. Why don't they do that when they speak of giving public money to private schools and there is no control whatsoever on the teachers, on recertification? It's an abuse of this government, of where and how they could use public money.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I've listened to the comments of my colleagues tonight, and I guess there are just a couple of things I want to mention. I think Bradley makes a good point, and I guess I would just make the observation as well: the war came, and it keeps on and on and on.

I have a niece who's finishing high school, and, boy, she's had a great five years. I was thinking, as I talked to her the other day, how angry I would be. She in fact was more restrained and more reserved than I might have been at the kind of turmoil she's experienced. As most adults in this room know, it is regrettably a lot easier to start a war than to bring it to some kind of orderly conclusion. On this one, I thought a while ago—in fact, I thought when I heard the current minister talking about some kind of peace treaty on the so-called extracurricular front—that we might actually be turning a page. We appeared to settle that problem, and then we went headlong into this educational tax credit for parents who want to send their kids to private schools.

I say to the Minister of Transportation, who spoke a while ago, that I think he makes a good point, but I guess I ask myself, and I ask at least all members here, on whose program was that? I don't know that this Legislature fully understands the import of that initiative, and it may be that it is something you want to do. But whether it's on your side or somewhere else, I think we are duty-bound to indicate clearly beforehand that that is

our intent. But, as Mr Bradley rightly observed, the war came and it persisted, apparently without end.

The Acting Speaker: It is now time for responses.

Mr Bradley: I appreciate the comments of each of my colleagues in the House and I note the reference to a polarized debate. Unfortunately, or fortunately—some people think it's fortunate—this House is much more polarized than I've ever seen it over the years. I've never seen it this polarized. There used to be, I guess, a reasonable debate that went on with people like Bob Welch and Tom Wells and Bill Davis and Roy McMurtry and Larry Grossman, people like that, but it was a civilized debate. It wasn't a hateful debate. There were more nuances, perhaps, than the fundamental ideological differences that took place. With each of those people—I would have said it in those days—I never once quarrelled with the fact that they were for the children, for the system and had a lot of support among teachers in the province.

Boards of education used to have a lot of Conservatives. There are not many of those people who will defend the Conservative Party today because they've been on the front line of it. I ran against Elaine Herzog—or she ran against me; I was the sitting member—in 1985, a top-notch person. She had been a chair of the board of education, she had been a good Davis Conservative, very positive, and if she were with us today, I'm sure she would be appalled by what she has seen happen in education. She was part of a board that really had enthusiasm, that brought people together, that forged a consensus rather than constantly dividing.

I know sometimes it's good politics to bash teachers and I know there's some considerable opposition among teachers that annoys the government from time to time: I understand that. But when you have those people who must deliver education on the front line and you go out of your way from time to time, almost always, to alienate them for political purposes because it does gain you some votes, I think you make a major mistake in education.

The Acting Speaker: Further debate?

Mr Hampton: It is actually a pleasure to take part in this debate, because once again there's an opportunity here to explore exactly what has happened to our schools and education system over the last six years. Many people are probably wondering, "Why would the government introduce a bill at this point in time that in effect reopens the wounds in terms of extracurricular activities with secondary schoolteachers, that creates all kinds of headaches for boards of education because they're required to negotiate three-year collective agreements even though the government refuses to tell them how much money they will have three years down the road, that opens wounds with all teachers in terms of a mandatory so-called recertification measure and then, finally, also goes after the support staff in our schools by literally saying to them that the government is going to undermine their right to strike?" If the government were indeed interested in finding some common ground in terms of education, why would they introduce a bill which literally lights fires in about four different places?

For the benefit of people who might be watching, I want to explain why the government would do that.

It is a habit of this government that when they get in trouble on a particular front, they immediately either bring in some legislation which has the effect of scapegoating or attacking certain people out there in our society, or they announce an initiative which has the same effect. So if you go back about four years, when the cuts in the hospitals really started to take their effect and people started to notice the long lineups at emergency wards, the government went out and started attacking nurses. They referred to nurses as out-of-date Hula Hoop workers. So there was the campaign against nurses. Then, when some labour strife started to happen elsewhere in society—there were strikes, there were lockouts, there were difficulties negotiating collective agreements—right away the government went out and started a campaign against labour bosses.

When the government gets into trouble on other fronts, they will mount a campaign against young offenders or against the poorest people in our society, people who are unemployed and who are forced to rely upon social assistance. But you can call it this government's favourite: when it gets into trouble on the education front, it finds a way to attack teachers. That's really what's happening here.

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The government is in trouble in education. It thought that it had a winner for its own ideological purposes when it introduced its tax credits for private schools. It thought that this was somehow going to galvanize all those people who want private schools and they would all come over to the Conservative Party. That was the theory, but the reality now is turning out to be something different.

There have been no less than three public opinion surveys published in the last couple of weeks and they all show essentially the same thing. Strategic Communications has conducted a public opinion survey which finds that 67% of the people in Ontario oppose the voucher for private schools, or the tax credit for private schools, whichever you want to call it. Then a similar survey is completed by the Ontario Institute for Studies in Education—OISE has an international reputation—and it finds that only 26% of people in Ontario are in favour of the government's vouchers for private schools or tax credits for private schools, whatever you want to call it. Finally, Lang Research does another opinion survey which finds, again, that 67% of the people in the province are against the government's decision to provide tax credits for private schools.

Clearly the government is in trouble, and they would like to get the tax credit for private schools, the voucher for private schools, off the front page. How do you do that? You bring in another piece of legislation which attacks support workers, which attacks secondary teachers, which attacks the boards of education, and you create some smoke out there and hope that you can get the tax credit for private schools off the front page.

That's why we're here. That's what this is about. This is an attempt to push something else off the front page, create another battle with teachers, with boards of education, with trustees, with support workers, and hope that that will then dominate the front page and the government can go on attacking the teacher unions, the support worker unions, and, by the way, go after the trustees once again as not being competent, as we've heard so many times now from this government. That's what it's all about. The government wants to draw people's attention away from the fiasco they've created with their scheme to use taxpayers' money to fund private schools.

It might be worth exploring why that has created a problem for the government. First of all, virtually everyone across the province recognizes that the money to fund private schools will come from public schools. There is only one education envelope, and if you're now going to put money into private schools, it's going to come out of the public schools. In fact, the Minister of Education herself has admitted this on several occasions, and I quote her. She said, "We have been very clear that our goal is a good quality public education, and the estimates of \$300 million needed to fund religious schools would be \$300 million that would come out of the public school system." That's the Minister of Education. It's in a letter that she wrote replying to a number of people as to why the government's former position was that it was not in favour of tax credits for vouchers for private schools, because the government itself knew the money was going to come out of the public school system.

People also understand that the tax credit acts as an incentive for parents to move their children from public to private school. So it goes like this: for those parents who perhaps have higher incomes and who have thought from time to time, "I've got a higher income. I could afford to pay some of the private tuition fees," this \$3,500-a-year tax credit or voucher is a big financial incentive. In fact, 15% of parents across the province have said that this \$3,500 a year per child is a significant incentive and they would consider taking their children out of the public school system and putting them in the private school system.

If we lost 15% of the enrolment in the public system, that works out to about 330,000 students. That works out to over \$2 billion a year that would come out of the public system. Parents understand, and most of all directors of education and trustees understand, how the public school system funding formula works. It works on a per student basis. So if your enrolment declines by 2%, then your funding will decline by 2%.

A board in my constituency lost 200 students a year ago. Their enrolment declined and so they lost \$1.4 million of their funding. Why? Multiply the funding formula, \$7,000 per student, times the number of students and you get \$1.4 million. Another board in my constituency lost about 700 of their students. So, multiplying it out, they lost over \$4.5 million of their budget.

That's how the funding formula works. It works on a per student basis. So if you can entice more parents to take their kids out of the public system and move them to the private system, every time a child leaves it's essentially \$7,000 that has exited the public school system. Parents have figured that out and they worry about it, so the government wants to get that issue off the front page.

Finally, the government had an opportunity to limit this tax credit. They initially said, "This is to allow parents of modest means, middle- and modest-income parents—it will give them a chance, if they want, to finance a private school education." We pointed out, "No, this is not about modest-income parents. They wouldn't have the other money in their pocket to fund the rest of the tuition fees. This is about rewarding those people who are already relatively well off." When we spoke with the Ministry of Finance staff, they admitted that, and that's starting to be understood out there by the broad public across Ontario.

For all those reasons, the government is in trouble on the public money tax credits—vouchers—for private schools and they've brought in this legislation to try to move the tax credit issue off the front page.

What is in this bill? Why would it create a lot of controversy out there? Let me deal first of all with teacher re-certification. The issue of teacher testing and re-certification is something the Ontario College of Teachers has been working on for some time. The Ontario College of Teachers has been out there. They've done a lot of surveying, they've met with teacher federations, they've met with academics and they've actually put together a strategy in terms of ongoing teacher professional education, professional development, that the majority of teachers would likely buy into.

You would think that a government of the day, with the Ontario College of Teachers having done all of this work, all of this research, all of this diplomacy, would immediately say, "Let's take the ideas you've developed and let's work to implement them." Is that what the government's doing in this bill? No; not even close. What this government is going to do is to completely brush aside the good work that the College of Teachers has done and they're going to impose their own system. In imposing their own system and pushing aside the model that has some general agreement to it, they know they can start another fight with teachers; ie, they can in effect use that fight to move the issue of a tax credit for private schools off the front page.

Just to tell you how bad this re-certification model that the government has chosen is, you don't have to listen to me. Listen to the chair of the Ontario College of Teachers, Larry Capstick, who says, "The college's support for lifelong professional learning has been demonstrated by its development of the Standards of Practice for the Teaching Profession and the Professional Learning Framework for the Teaching Profession. Members of the profession are committed to having all teachers remain up-to-date in their professional knowledge and practice. However, this announcement by

the government will result in a program that is being rushed into implementation, a program that will be expensive to administer."

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That's what the College of Teachers, which spent a lot of time and effort on this work, says. "It is unrealistic to expect that this program"—the government's program—"that ties teacher licensing to completion of professional development can be successfully launched by September." He says that you can't even launch it by September. That's how out of context it is. "The government is demanding that in a little over two months, with no clear funding commitments from the Ministry of Education related to implementation or maintenance, the college puts in place a re-certification program for 40,000 ... teachers, one third of teachers in publicly funded schools."

In other words, the college is saying that what the government has put forward is completely unrealistic, is completely incapable of being implemented, but the government doesn't care. It's not about putting forward something that could be implemented; it's about creating enough of a firestorm so that you can get the issue of public money for private school tax credits off the front page. The government has created enough of a storm about this issue that it's actually having some success in that strategy. It's having some success in pushing the tax credit voucher for private schools on to the back pages and off the 6 o'clock news.

Just to quote further from the College of Teachers:

"When we talk about re-certification, we're talking about people's licences to teach, their ability to earn a living. Such a program must be driven by the realities of setting up a complex system that is administratively feasible, publicly credible, professionally acceptable, legally defensible and economically feasible." The college provided the Minister of Education with advice on the government's teacher testing plans in April 2000 following an extensive consultation with education stakeholders and the public across the province. The college is now being given approximately 10 weeks to implement the government's initiative. The college has explained to the ministry's teacher testing project staff the work needed to register course providers, approve courses, develop an appeal process for the providers who are not registered and set up a system to receive information from providers. In addition, the college has to inform teachers and those soon to enter the profession about the new requirements and develop a Web site to keep track of the professional learning activities of almost 180,000 college members in seven mandated areas."

In other words, to successfully implement a real teacher certification program that has integrity, that is legally defensible, financially feasible, that is professionally acceptable, publicly credible, is going to require a lot more than 10 weeks. But, again, the government isn't interested in meeting any of those standards.

Finally, I want to quote the conclusion of the college's comments, where they say, "I fear that the government does not recognize many of the very real implementation issues brought forward by the college. But even more disturbing is the fact that the government is introducing changes to the Ontario College of Teachers Act without any consultation with the college council."

I think it's pretty clear that anybody who is interested in having a teacher re-certification process that met any of these measures wouldn't have done what this government's done. But alas, it's not about having a teacher re-certification process that has credibility, that can be implemented, that is legally defensible, that has any credibility whatsoever. It's not about that. It's about trying to start a fight and get that nasty question of tax credits for private schools off the front page.

Then there's the issue of secondary school teacher workload and extracurricular activities. With much fanfare just before the budget, the government announced that they had created the room so that there could be a coming together, a meeting of the minds of secondary school teachers, of secondary school administrators, of boards of education and the government itself. The government announced that with much fanfare. But immediately after the budget we discovered that despite the government's announcement, with much fanfare, the money wasn't there to do it. The money simply wasn't there to accomplish it. In fact, the announcement that was made literally fell apart. It amounted to nothing.

So what is the government doing now? Last year they brought in Bill 74 and they said to high school teachers, "We are going to force you to provide extracurricular activities." That didn't work. Everyone knew that was not going to work. You cannot force someone to go out there and give of themselves, give of their own integrity in terms of coaching basketball, hockey, football or volleyball or in terms of conducting the school band or drama. You can't force that kind of talent from people. It either flows willingly or it doesn't work. Some of the Conservative members sitting across from me acknowledge that. They know that from their own experience. The government announced that they thought they were going to put together the ingredients for a settlement earlier this spring, but that was hollow. So what is the government doing here? It is going to go back to the old hammer-and-tongs method. It is going to try to force people to provide extracurricular activities.

A friend of mine who teaches said to me, "You know what? I'm going to go into the principal's office, all five feet, six inches of me, and I'm going to volunteer to coach the senior boys' basketball team." She said that to

illustrate the absurdity of the government's position, that a young woman who is five feet, six inches and who has never played basketball simply would not be able to provide—

Interjections.

The Acting Speaker: Order. I realize there are only a couple of minutes left, but the rules still apply right up until the final moment. I would ask you to adhere to them.

Please continue.

Interjection.

Mr Hampton: Sorry, Bert, I didn't know that. I thought you were 5 feet, seven and a half inches.

This young woman did that to show the absurdity of the government's position. Anyone would realize that at five feet, six inches tall, never having had any experience with basketball, to be forced to coach the senior boys' basketball team is theatre of the absurd. But that's where this government is headed, and they're headed in this direction once again. But they're going to be tricky this time. They're now going to say that it is the board's responsibility. The board of education is now going to be forced to provide extracurricular activities. What can the board of education do in order to provide extracurricular activities? The only thing they can do to find the time in teachers' schedules is to increase class sizes. That's the only thing they can do. That's the only option open to them. They're going to say to teachers and to school administrators and to board officials, "You must provide extracurricular activities. But in order to find the room, in order to find teachers who have enough time to provide extracurricular activities, you have to increase the size of all your classes." Then they're going to say, "Well, this is the board's problem."

The board didn't create this problem. This government has created this problem. Now they're simply trying to find someone else to blame, trying to create some more fireworks.

Interjections.

Mr Hampton: I've obviously struck a nerve with the Conservative caucus here.

Interjections.

Mr Hampton: Murdoch, leave it alone or I'll get on to you.

The Acting Speaker: Order. I am beginning to realize how little use the ultimate threat of the Chair is at this time of night, which is of course to remove people from the chamber. I would point out to the House that it is now after 9:30. Therefore this House stands adjourned until tomorrow at 1:30 of the clock.

The House adjourned at 2130.

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Tuesday 19 June 2001

Mardi 19 juin 2001

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 19 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 19 juin 2001

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

NORTHERN CANCER TREATMENT

Mr David Ramsay (Timiskaming-Cochrane): Mr Speaker, as you know, I and all the other northern members in this assembly have tried to press the point to the government that their two-tier travel system is discriminatory against northern Ontarians. We have debated this issue in this House through resolution, through questions and through statements, to say that the re-referral program of southern Ontario cancer patients to northern Ontario being given the full benefit of all their travel discriminates against northerners, who, as you know, are only paid a one-way mileage fee for wherever they travel in the province for their cancer treatment.

Last week, as you also know, we had third party validation of that argument through the Ontario Ombudsman, Mr Clare Lewis. He said, as we have said in this House, that the program the Ontario government has discriminates against northern Ontarians.

We think it's time that the government own up to this discriminatory policy and fix it, to make sure that northern Ontarians receive the very same benefits that southern Ontarians receive when they have to travel to seek radiation treatment for breast and prostate cancer. Basically, this policy is rubbed in the faces of my constituents when they are in a waiting room in Sudbury and meet up with southern Ontarians who invite them out to dinner, saying, "All our expenses are being paid," and yet they come there with a very meagre allowance, hardly enough to even get home. It's time this policy is changed. It's time to end the discrimination.

SENIOR CITIZENS

Mr Norm Miller (Parry Sound-Muskoka): It is a pleasure to rise today to acknowledge and thank our seniors for the contributions they have made to our province. For more than 20 years, the month of June has been Seniors' Month in Ontario.

This week, in our riding of Parry Sound-Muskoka, the first intergenerational volunteer initiative took place in Huntsville. This initiative, funded by our government, brings together high school students and seniors to develop a variety of programs to help people with Alz-

heimer's. This is a great opportunity for seniors and youth to come together to help one another.

I would briefly like to mention and thank some of my constituents who were directly involved in organizing the intergenerational volunteer initiative in Huntsville: Linda McElroy, Debbie Deluca, Jackie Latham, and the coordinator for the intergenerational volunteer initiative, Trudy Bauer. The project was tremendously successful in Huntsville because of the energy of those involved in planning and carrying it out and those who volunteered in the project. These projects are invaluable because they increase our understanding of ways in which community involvement can make a positive difference.

The province of Ontario has committed \$68.4 million over five years to develop a comprehensive strategy to help people with Alzheimer's disease and their families.

I believe all seniors should be recognized for the contributions they have made in the past and for what they continue to give our communities today.

CEMETERY MAINTENANCE

Mr Steve Peters (Elgin-Middlesex-London): I rise in the House today to bring to your attention a very serious issue that must be addressed immediately: the inadequate funds for proper care and maintenance of small, rural Ontario cemeteries.

As a nation, we've always approached the death of our loved ones with both dignity and respect. Over the years, 5,000 cemeteries have been established in this province. Unfortunately, many do not have sufficient funds for their proper maintenance.

In the May 2000 edition of *Municipal World*, the situation was described as a "real ticking time bomb." The lack of sufficient interest income from inadequate trust funds could eventually mean that smaller church- or community-based private cemetery boards would have to declare these cemeteries abandoned. If this occurs, the acquisition and maintenance of these cemeteries falls upon municipalities. These additional financial burdens could be devastating. Translation: more unnecessary downloading.

In my riding, the Fingal Cemetery faces such a dilemma. What did the Ministry of Consumer and Business Services officials do? They referred the cemetery chairman to the Alcohol and Gaming Commission of Ontario. Why? So we could stage bingos and sell beer to bury our loved ones? Minister Sterling pointed out in a May 31 letter that the responsibility for upkeep of a cemetery falls first to the owner of the cemetery and, if unable to

maintain the cemetery, to the local municipality. There is no provincial funding available for cemetery operations.

This is not a simple matter of dollars and cents, nor should it be another opportunity for more downloading of services on to our municipalities. We are not about to stage bingos or erect beer tents to ensure an eternal resting place for our loved ones.

LOBO TOWNSHIP ANNUAL PICNIC

Mr Bert Johnson (Perth-Middlesex): I rise today to inform my colleagues that the community spirit is alive and well in Lobo township.

It was my pleasure recently to take part in the 113th Annual Lobo Union School picnic. Since 1888 the children and adults of Lobo township, now part of Middlesex Centre, have been getting together once a year to enjoy a fun-filled day that includes events and activities enjoyed by the whole community, young and old.

This year's picnic featured a number of events, including children's races, a baby show, a euchre tournament, a parade with a Christmas theme, and a community challenge. Proceeds of the picnic are directed toward many worthwhile groups and projects in the area.

I'd like to recognize Heather Bradley, Marilyn Campbell, Lorie Davis, Bob Dale, Wendie Dale, Heather Grieg, Cathy O'Brien and Marilyn Thomas for helping to organize this year's picnic and for their commitment to preserving this annual celebration. In fact, they've already started planning for the 114th annual picnic next year.

I also want to commend the Poplar Hill and District Lions Club and many other local sponsors that make the event such a great success year after year.

Please join me in recognizing the residents of Lobo township for keeping this long-standing tradition alive.

ELISE HARDING-DAVIS

Mr Bruce Crozier (Essex): I am pleased to advise the House that Elise Harding-Davis, curator of the North American Black Historical Museum in Amherstburg, has been named a recipient of the Windsor-Detroit International Freedom Festival's 2001 Freedom Award. Previous award recipients include former Prime Minister Lester B. Pearson, former President of the United States Gerald Ford and freedom fighter Rosa Parks. Ms Harding-Davis has, among other recognition, received a lifetime achievement award from the Ontario Museum Association and is the 2001 Amherstburg Citizen of the Year.

Elise was instrumental in the recent restoration of the Nazrey African Methodist Episcopal Church which, also through her untiring effort, has been declared a national historic site, the first dedicated to black history in Canada.

Reflecting on her love of the Nazrey AME church Ms Harding-Davis said, "It is a beacon and it will remain so. A beacon of freedom. The very freedom that this country stands for."

I ask the members of this Legislature to join me, Elise Harding-Davis's family, friends in the riding of Essex and indeed all Ontarians in extending our congratulations and our pride in her having been named a recipient of the 2001 Freedom Award.

NORTHERN CANCER TREATMENT

Ms Shelley Martel (Nickel Belt): Last Thursday, northern Ontario cancer patients were vindicated by the Ombudsman when he clearly noted in his report to this Assembly that the government has discriminated against these patients.

He concluded, "The Ministry of Health and Long-Term Care's omission to provide equal funding for breast and prostate cancer patients who must travel for radiation treatment is improperly discriminatory." His remedy was, "The Ministry of Health and Long-Term Care should provide equal funding to breast and prostate cancer patients who must travel for radiation treatment."

The source of the discrimination was the government's refusal to fund northern cancer patients in the same way as southern patients who had to travel far from home to access timely cancer care. Specifically, this government paid 100% of the travel, accommodation and food costs for southern patients but would only compensate northern cancer patients for a fraction of their travel costs. This discrimination continued for over two years, from April 1999 to mid-June 2001, when the last southern cancer patients were referred out of province for cancer care.

1340

This government has a moral obligation to respond to the Ombudsman's recommendations. This government must retroactively compensate northern cancer patients for the very same costs as southern patients had covered when they travelled far from home: that is 100% of their costs of food, travel and accommodation. No other solution is acceptable. Northern Ontario cancer patients have waited long enough. This government should do the right thing and do it now.

EVENTS IN SIMCOE NORTH

Mr Garfield Dunlop (Simcoe North): I am pleased to rise this afternoon and invite all Ontarians to visit beautiful Simcoe North this summer. There are a number of events occurring this summer that may be of interest to most of our Ontario residents. To begin with, I'm honoured to be participating in the official opening of the new entertainment centre at Casino Rama. Country star Faith Hill will be feature entertainer when the 5,000-seat facility opens on July 18.

On the weekend of July 6 to 8, the city of Orillia will host the Mariposa Folk Festival and on the same weekend, the town of Penetanguishene will host the Huronia Open Fiddle Contest. On July 20 to 22, the Royal Canadian Legion, Branch 34 in Orillia, will host their annual Scottish festival, followed one week later on July

28 when Burl's Creek Family Event Park will host their annual Celtic games. On July 27 to 29, the Georgian Bay Poker Run, featuring some of Ontario's finest boating will be held at the town dock in Penetanguishene. On August 23 to 26, the Battle of Georgian Bay, featuring tall ships and hundreds of soldiers dressed in 1812 clothing, will be held in Huronia.

These are only a few of the dozens of events that the communities of Simcoe North are hosting this summer. Whether you enjoy boating, boat cruises, golfing at any of our 16 golf courses, shopping on our beautiful main streets or enjoying theatre and dinner at a number of theatres, you will enjoy the hospitality and friendship that our citizens give to our guests.

HAZARDOUS WASTE

Ms Caroline Di Cocco (Sarnia-Lambton): Yesterday I asked the Minister of the Environment about stricter rules regarding standards for landfilling of toxic hazardous waste in Ontario. It is my view that these rules should be at least as stringent as those of the United States legislation that requires treatment of hazardous waste before it is landfilled. By her response the minister either did not understand the question or she made an error in her response. She responded, "We test more stringently, and we expanded the list of toxic chemicals," but the minister forgot to say that landfill hazardous waste is simply dumped into the ground.

Her ministry has the authority to not accept hazardous waste from outside the province. The lax standards for incinerating and landfilling of hazardous waste in this province ensure that we're open for toxic waste business in Ontario. No, the minister has not put into place rules to safeguard and protect public health, safety or the environment when it comes to accepting toxic hazardous waste from outside the province, nor do we have better regulations for landfilling or incinerating hazardous waste. This government is endangering our groundwater, people's health and doing irreparable damage to the environment in St Clair township by the current approach, which is simply to talk a good line.

DR ROBERT ELGIE

Mr R. Gary Stewart (Peterborough): It gives me great pleasure, as chair of the Ontario Progressive Conservative caucus, to rise today to honour an alumnus of this House. Robert Elgie was a PC member for the riding of York East from 1977 to 1985. As well, he was a lawyer, a neurosurgeon and even occasionally a civil servant.

Just this past May 23, Dalhousie University awarded Bob Elgie an honorary degree for a lifetime of achievement and public service—fitting recognition of someone personifying a true Renaissance man. Dr Elgie served Ontario as an MPP, as Minister of Labour, Minister of Consumer and Corporate Relations and Minister of Community and Social Services. He was also chairman of the Ontario WCB for six years. Presently he chairs the

Patented Medicine Price Review Board. He has taught at both the University of Toronto and Queen's medical school. He is also the founding director of Dalhousie University's Health Law Institute. The Dalhousie citation grants an honorary degree "in recognition of his pursuit of excellence in law, medicine and public service and his lifetime of achievement."

On behalf of the Progressive Conservative caucus of the 37th Parliament of Ontario, I congratulate Dr Robert Elgie on his latest degree and I wish him the very best in his ongoing endeavours.

SPEAKER'S RULING

The Speaker (Hon Gary Carr): On June 13, 2001, the member for Chatham-Kent Essex raised a point of privilege concerning purported activities of the Minister of Transportation relating to the possible forthcoming passage of Bill 65, An Act to permit the Minister of Transportation to delegate to persons in the private sector powers and duties and responsibilities to deliver services relating to road user programs.

The member asserted that a draft letter, a copy of which was provided me, was apparently recently sent by a regional director in the Ministry of Transportation to some staff in the ministry who would be affected by Bill 65 if the bill is passed by this House. The letter describes options and decisions these staff will be required to make for themselves regarding their employment with the Ministry of Transportation, and the member is of the view that this improperly anticipates a future legislative outcome.

The member for Chatham-Kent Essex asserts that the issue he raises is different from ones ruled upon by Speaker Edighoffer on December 20, 1989, and by me last November 27, in which the validity was confirmed of plans being made in the public service to prepare for the possible passage of legislation. I respectfully beg to differ with the member on this point. In my view this matter is identical with those other times. I can in no way come to the conclusion that providing ministry employees with advance information about their employment status, if Bill 65 passes, infringes the rights or privileges of members of this House.

In my view, the letter from the Ministry of Transportation not only did not improperly assume the outcome of this House's deliberations on Bill 65; the letter in many passages goes to some lengths to indicate how conditional these changes will be upon the passage of Bill 65. As well, the template form that accompanied the letter contains blank spaces where dates will be required, clearly indicating the prospective nature of the document. These documents explicitly and thoroughly acknowledge the prior and superior role of the Legislature in this matter. Such an approach has been repeatedly called for in numerous Speakers' rulings, and I applaud the Ministry of Transportation for heeding those calls.

I therefore cannot agree with the member's view that the ministry's action constitutes a case of contempt, and would further note my view that the employment

relationship between the Ministry of Transportation and its civil servants is a matter of law and beyond the competence of the Speaker to address. I thank the member for his submission.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Steve Gilchrist (Scarborough East): I beg leave to present a report from the standing committee on general government and move its adoption.

Clerk at the Table (Ms Lisa Freedman): Your committee begs to report the following bill as amended:

Bill 25, An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act, 1993.

The Speaker (Hon Gary Carr): Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

The division bells rang from 1349 to 1354.

The Speaker: Mr Gilchrist has moved the adoption of the report from the standing committee on general government respecting Bill 25.

All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted
Baird, John R.
Barrett, Toby
Clark, Brad
Coburn, Brian
Cunningham, Dianne
DeFaria, Carl
Dunlop, Garfield
Elliott, Brenda
Flaherty, Jim
Gilchrist, Steve
Hodgson, Chris
Hudak, Tim

Johns, Helen
Johnson, Bert
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank
Miller, Norm
Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn
Newman, Dan
Ouellette, Jerry J.
Sampson, Rob
Snobelen, John

Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Turbull, David
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

The Speaker: All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic
Bisson, Gilles
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Bryant, Michael
Caplan, David
Christopherson, David
Churley, Marilyn
Cleary, John C.
Colle, Mike
Conway, Sean G.

Cordiano, Joseph
Crozier, Bruce
Curling, Alvin
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Gerretsen, John
Gravelle, Michael
Hampton, Howard
Hoy, Pat
Kormos, Peter
Kwinter, Monte

Lankin, Frances
Levac, David
Martel, Shelley
Martin, Tony
McLeod, Lyn
McMeekin, Ted
Parsons, Emie
Peters, Steve
Phillips, Gerry
Pupatello, Sandra
Ramsay, David
Ruprecht, Tony

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 37; the nays are 36.

The Speaker: I almost had to break the first tie. I declare the motion carried.

Pursuant to the order of the House dated May 30, 2001, the bill is ordered for third reading.

Mr Gilchrist: We had so much fun the first time, I beg leave to present a report from the standing committee on general government and move its adoption.

Clerk at the Table: Your committee begs to report the following bill as amended:

Bill 33, An Act to amend the Highway Traffic Act to prohibit persons from riding on the outside of a motor vehicle / *Projet de loi 33, Loi modifiant le Code de la route pour interdire à des personnes de circuler à l'extérieur d'un véhicule automobile.*

The Speaker: Shall the report be received and adopted? Agreed.

This bill is therefore ordered for third reading.

SPEAKER'S RULING

The Speaker (Hon Gary Carr): On June 13, 2001, the member for Niagara Centre (Mr Kormos) and the member for Elgin-Middlesex-London (Mr Peters) rose on separate but related questions of privilege concerning the 2000 annual report of the Information and Privacy Commissioner, who is an officer of the Legislature. The commissioner's report expressed concerns about some aspects of the government's management process on freedom-of-information requests made by journalists, special-interest groups and politicians for information on politically sensitive issues. The member for Niagara Centre and the member for Elgin-Middlesex-London were particularly concerned about the part of the report that indicated that there were inappropriate delays in complying with such requests, and they gave specific examples of where they and other members had encountered such delays.

Both members were of the view that the government or unnamed government officials were in contempt of the House by obstructing not only the commissioner but also members of the House. The government House leader (Mrs Ecker) also made submissions.

I have had the opportunity to review the Hansard of the day, the Information and Privacy Commissioner's 2000 annual report, the written submissions of the member for Niagara Centre and the member for Elgin-Middlesex-London, and the relevant authorities and precedents.

Both members recited the general authorities on contempt in the course of their submissions, so let me proceed by applying them to the case at hand.

Dealing first with the concern that an officer of the Legislature was being obstructed, there was no mention in the commissioner's report that the commissioner was being hindered or obstructed. The report was simply expressing serious reservations about the impact of the government's policy, and it was requesting a change in

that policy. Unlike the situation that was the occasion of my May 18, 2000, ruling respecting the commissioner's Special Report on Disclosure of Personal Information by the Province of Ontario Savings Office, Ministry of Finance, this report does not specifically state, in very clear terms, that the government was deliberately obstructing her investigation of a specific file.

Indeed, on page 6 of the current report, the commissioner indicates that, "We recognize that the Ontario cabinet's contentious issues management process was designed so as to not interfere with the administration of access requests within the time limits specified in the act."

1400

Turning to the concern that members were being obstructed, there can be no question that members of this House have special rights that non-members do not have. For example, they have entitlements under the standing orders, such as being able to request information from the government pursuant to those standing orders. However, when it comes to requesting information from the government under the Freedom of Information and Protection of Privacy Act, members of this House stand in the same position as non-members. In this regard, I refer to rulings dated June 7, 1988, at page 219 of the Journals, and October 6, 1992, at page 2458 of Hansard.

I understand that the member for Niagara Centre and the member for Elgin-Middlesex-London contended that their effectiveness as members of the provincial Parliament was being compromised by delays in receiving information that they had requested from the government. However, it is very clear to me that the government's management process on contentious issues did not obstruct the members in their strictly parliamentary duties in this chamber.

For these reasons, a prima facie case of contempt has not been established.

I want to thank the member for Niagara Centre and the member for Elgin-Middlesex-London for their submissions.

Mr Peter Kormos (Niagara Centre): Mr Speaker, on a point of order: I just want to thank you for your consideration of that matter.

The Speaker: I thank the member.

INTRODUCTION OF BILLS

CITY OF TORONTO ACT (HERITAGE PROPERTIES), 2001

Mrs Mushinski moved first reading of the following bill:

Bill Pr20, An Act respecting the City of Toronto.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

STANDING ORDERS

Mr Peter Kormos (Niagara Centre): Mr Speaker, on a point of order: I refer the Speaker to standing order 59(e) on page 48 of the standing orders. Paragraph 59(e) reads, "No estimates shall be considered in the committee while any matter, including a procedural motion, relating to the same policy field is being considered in the House."

Members of the NDP caucus have been very busy preparing for the standing committee on estimates, meeting today in room 228 at 3:30 pm. This is our only opportunity to grill the Minister of Education on the very controversial tax credit for private schools proposed in this government's budget legislation before it's rammed through the House next week. We have a lot of questions for the minister, and we believe the people of the committee and of the province deserve answers.

However, we were informed late this morning that the government plans to call Bill 80, legislation introduced by the Minister of Education, under orders of the day this afternoon. We're asking you, Speaker, to find that the government has violated its own standing orders and created chaos and contradiction by having this education bill in the House at the same time as the Minister of Education is called before the estimates committee.

The Speaker (Hon Gary Carr): I thank the member, and I will confer over that standing order.

I thank the member for his submission. He is correct; the standing orders do say we cannot have a bill in the House and at the same time before a committee. However, on the order paper today, what is expected to be called is Bill 60, which does not deal with a related matter.

If in fact Bill 80 is called in the House, what would have to happen is that the committee would have to deal with the fact they are dealing with something that is in the House. The House could proceed, and the committee would have to deal with the issue of the same bill being in committee as well as in the House at the same time. But as I said, on the order paper, what is expected to be called today is Bill 60.

As a follow-up on that, the member for Niagara Centre.

Mr Kormos: Merely for direction, Speaker: would the Speaker entertain—and we're not expecting you to indicate what your ruling would be—a point of order, when the government is called upon to call orders of the day, for instance, with respect to Bill 80 being called?

Hon Chris Stockwell (Minister of Labour): I would just like to add my comment to this procedural issue that's before the House. Firstly, it isn't the same bill. We're dealing with estimates on one hand and the bill on the other. Secondly, the bill being called today is a finance bill, with respect to the tax credit to the schools.

Therefore, we have two distinctly different issues being dealt with here.

Interjection: Wrong bill, Chris.

The Speaker: Order. The Minister of Labour is familiar with the procedures, and I'm sure he knows what he's trying to say. Sorry, Minister of Labour.

Hon Mr Stockwell: I'm just talking about the estimates with respect to a bill. They're different issues. It's the same bill or a related bill for the ministry.

Ms Marilyn Churley (Toronto-Danforth): It's Bill 80, Chris.

The Speaker: As you know, on a couple of occasions I've said it's fine to heckle over political issues. This is something dealing with the House. The opposition obviously feels the Minister of Labour is incorrect in what he's saying. That's why we have rulings by the Speaker, because members don't often agree. I would appreciate it if they wouldn't interrupt him. It's not like dealing with a subject matter where it is political and you can yell at him. I would like to hear the Minister of Labour's input on this point of order. Sorry again, Minister of Labour.

Hon Mr Stockwell: I'm presuming the argument is with respect to estimates being in committee. Estimates are a distinctly different issue from what is being debated, or potentially could be debated, in this House this afternoon. Of course, nothing is debated until the order is called, so there can be nothing out of order. Nothing can be out of order, because nothing has been done at this point in time. So there's not necessarily a need for a ruling from the Speaker at this time, considering the fact that no bill has been called. No order has been called by the government; therefore, nothing can be out of order at this time.

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, I refer you to the orders and notices of the day. The orders do call for order G60 to be called. However, the government House leader's office did advise the opposition parties this morning that in fact Bill 80 would be called this afternoon.

The other concern I have, sir, given what you ruled initially, is that if the government calls an education bill, the time in estimates not be lost to the opposition parties because of the way the scheduling has happened. I point out again that last week we were informed by the government House leader's office—indeed, it was reported on Thursday afternoon in the House—that in this afternoon's session we would be dealing with Bill 60. This morning we were informed, without any other notice, that in fact we would be dealing with Bill 80, the so-called stability in education act.

The challenge from our perspective as well is that if the government, without any notice and without consulting the opposition party, calls Bill 80 and the estimates committee is forced to contend with that, we will not lose the hours that are contemplated today for the Ministry of Education in the estimates committee. We will be calling upon you, sir, if that's the case, that those hours would be restored.

The Speaker: I thank the member for his input as well.

Hon Mr Stockwell: Again, I would make the point that nothing is out of order until it's called. If it makes the opposition feel better, then we will call Bill 82 and give them as much notice as possible now that we'll be calling Bill 82 for this afternoon's debate.

Mr Duncan: The other concern you need to be made aware of, sir, is that these estimates were called over a week ago. The Chair of the committee has informed me that the concern would be that the government could call a bill related to that portfolio simply to preclude those hearings from happening. Again, in the context of what happens later this afternoon, my hope would be that the government would call a bill not related to the estimates committee, legislation before estimates; and if in fact an education bill is called, sir, we will be back here to you in addition to deal with those issues that are properly the purview of the Legislature and not of the committee itself.

1410

The Speaker: I thank the member for his point of order.

Just for clarification for those who aren't familiar with 59(e), I will read it out for you. Standing order 59(e) is very clear. It says, "No estimates shall be considered in the committee while any matter, including a procedural motion, relating to the same policy field is being considered in the House." So, as I said earlier, if in fact it is a bill in this House and estimates is dealing with the same policy field, the committee would not be able to proceed. Now that all members are aware of that and clarified, I'm sure they will take that into consideration. The only way around that is to have unanimous consent in here, which all members could do on any issue. But the member is correct on that. There isn't need for a ruling now, because in fact it hasn't been called, but now that everybody understands that, we may not need to have a ruling later on.

I thank all members for their input. Hopefully, we've been fairly clear, and for those who are not, as you know, you have standing orders in your desk, and I would encourage you to read 59(e) very clearly. Again, I thank the member Niagara Centre, the Minister of Labour and the member for Windsor-St Clair for their input.

ORAL QUESTIONS

SENIORS' HEALTH SERVICES

Mrs Sandra Pupatello (Windsor West): My question is for the associate Minister of Health. Our seniors are very concerned with all the talk about means testing in drug coverage. I'd like you to tell us today whether you are not only considering means testing for drug coverage but whether you are also considering increasing user fees and copayments for drugs for our seniors.

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): I'm pleased to stand up today and tell you that this government, the Mike Harris government, takes the concerns of seniors across the province very carefully. What we do is try to provide high-quality programs for seniors in Ontario and we look at ways that we can do that. As everyone in the House knows, and as the seniors all across this province know, we have invested heavily in services that seniors use in Ontario, and that includes supplementing and increasing the drug plan so there are drugs available for all seniors, increasing the funding that goes to home care and facilities. We have done our best to make sure that seniors, who have made a great contribution to Ontario, continue to be able to live and have a great quality of life in the province.

Mrs Papatello: Seniors wanted to hear you say no, but you didn't say no. Instead, you said—well, we don't know what you're saying but we do know that seniors are very worried about what it is you're going to be introducing or doing. Even through sleight of hand, in the heat of the summer, when the House recesses, after the by-election in Vaughan, all you need to do to increase user fees and copayments is change the regulation—it's not even an act of this Legislature. We want to know exactly what you're intending to do. Are you intending to raise the user fees and copayments in drug coverage for our seniors? That's the question, and we are asking you to answer that question.

Hon Mrs Johns: I have to admit that it seems ironic that the Liberals would be asking this question when they funded the drug program, back when they were in power, at \$600 million, and we're now spending \$1.8 billion. I have to say that was with not one federal Liberal dollar. Without one federal Liberal dollar, this government is committed to making sure the quality—

Interjections.

The Speaker (Hon Gary Carr): Order. Sorry, Minister. They're getting a little carried away there. I'd appreciate it if all members would allow us to be able to hear the associate minister.

Hon Mrs Johns: As I said, the Liberals put \$600 million into drugs, the Mike Harris government, \$1.8 billion into drugs, and that is without one cent from the federal Liberals for drugs.

Mrs Papatello: Minister, I think most of us realize that seniors don't make all that much money. In fact, the average income of a 64- to 69-year-old in Ontario is a little over \$16,000. If this government is intending to save money on the backs of seniors in their drug program, what would you do? Save 10%? To take 10% off, that means you would have to drop the bar in means tests to \$30,000. Do you think that is a rich senior in this province, when seniors who may be afflicted with Parkinson's spend \$10,000 on drug coverage just for that disease?

I am asking you again, and we are demanding to know, what you'll do by sleight of hand again, this summer when you think no one is looking, to our seniors and their drug coverage. Will you be intending to change by

regulation, just like you did last time? Nothing in your Blueprint talks about seniors' user fees or copayment. Nothing in the Common Sense Revolution did either, and yet that's what you did.

We are asking you again: are you intending to raise the copayment? Are you expected to raise the user fees in drug coverage for seniors?

The Speaker: The member's time is up.

Hon Mrs Johns: Let me say that I find the question amazing when we have 1,200 new drugs on the formulary—

Interjections.

The Speaker: Order. Will the member take her seat. The member for Kingston and the Islands, come to order, please. You can't shout across and pound the table when we're trying to hear.

Interjection.

The Speaker: This is the last warning to the member for Windsor West, who has asked the question. It is her last warning. If she speaks out again, she's going to be named.

The associate Minister of Health.

Hon Mrs Johns: Thank you very much, Mr Speaker. As I was saying, the Ontario drug benefit program, which assists seniors to be able to have drugs in Ontario, has 1,200 new drugs listed on it since 1995. Those are new drugs that increase the quality of life for seniors all across this province. If you're talking about the Liberal plan when you're talking about all of the things you're talking about today, we're not interested.

RED TAPE COMMISSION

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): My question is to the Chair of Management Board and it concerns the Red Tape Commission. Yesterday in a response to a question of mine you said, and I quote from yesterday's Hansard, "The Red Tape Commission deals with processes; they don't deal with confidential information."

Minister, are you aware that in recent times your cabinet office, in a submission to the Information and Privacy Commission, said that the Red Tape Commission is inextricably connected to the cabinet's decision-making process, that ministries are asked to appear before the Red Tape Commission to discuss their policy proposals and their draft legislation before they appear at cabinet or any of its committees? Furthermore, according to the cabinet office submission to the Information and Privacy Commission, the Red Tape Commission serves now as a screening process for cabinet and its committees on a wide range of policy items.

Surely, Minister, you are aware of that. Would you not agree that according to that cabinet office submission, the Red Tape Commission obviously deals with substantially more than just process?

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): The Red Tape Commission deals primarily with process. They deal with other issues

as well, but I might say to the member that the members of the commission are required to give the same oath of secrecy as do members of ministries, as do ministers' staff. That's to protect certainly the confidentiality of the information that's dealt with.

The end result of all this of course is that the Red Tape Commission assists us with removing roadblocks to economic growth in this province. This is something we keep constantly hearing about out there in the business community. Of course, they're required to have an oath of secrecy, the same as members of ministers' staff and the staff of the ministries themselves.

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Mr Conway: I'm going to have a page take over to the Chair of Management Board some documentation, and I'd like him to respond to it. I have in my hand, Minister, a letter sent to the environment minister, Norm Sterling, on March 2, 1998, signed by Mr Frank Sheehan, then as now, chair or co-chair of the Red Tape Commission. In this letter, Frank Sheehan upbraids the Minister of the Environment about the prosecutorial activities of the Ministry of the Environment. Let me just quote from the letter, which you now have:

"Dear Minister,

"I would like to bring to your attention the case of a landfill operator being prosecuted by your ministry." The Ministry of the Environment, according to Mr Sheehan's letter, "is continuing to pursue enforcement of this matter with a vigour that might be better applied elsewhere."

Minister, do you think it is an appropriate function of the Red Tape Commission to be aggressively pursuing the Ministry of the Environment, or any other government department, in the discharge of its enforcement or prosecutorial functions?

Hon Mr Tsubouchi: What I will say is this: the Red Tape Commission is there to provide advice to the government and, in fact, they have provided us with very good advice on many issues—issues, in fact, that the business community was identifying prior to 1994. We identified that as a very important part of our platform. We thought it was very important to have the creation of jobs. We thought it was very important to make sure the economy does well. That way, we have money to spend on our priority issues such as health care and education.

Clearly, we require all members of the Red Tape Commission to sign an oath of secrecy. If that's the concern, which it certainly was in the first place, that confidentiality is the same type of oath that's required by all members of ministries and all people on ministers' staff who are required to have access to confidential information. This advice has been good over the years. It certainly has had its effect on the creation of jobs.

The Speaker (Hon Gary Carr): Final supplementary?

Mr Conway: I just want to bring the minister and his colleagues back to the evidence. We have a letter from Frank Sheehan in 1998, in his capacity as chair of the Red Tape Commission, aggressively upbraiding the Minister of the Environment for the prosecutorial activities of

the Ontario Ministry of the Environment. How many times have we all heard the Attorney General rightly observe that none of us, as elected officials, has a right to interfere in the prosecutorial functions of the government?

We also have, as part of the package of evidence, the response from the Ministry of the Environment. We have Mr Merritt's response, from which I will quote briefly. Who is Mr Sheehan intervening on behalf of? He is intervening on behalf of a landfill operator who had been previously convicted, and one of the principals of which had, just months before, been convicted of uttering a death threat to Ministry of the Environment supervisors.

So, my question remains: what is this Red Tape Commission up to? Do you condone that this commission, now headed by Frank Sheehan, private citizen, should be aggressively inserting itself into the prosecutorial activities of the Ontario Ministry of the Environment?

Hon Mr Tsubouchi: I certainly can repeat what I've already said, but I might remind the member that in 1998 Mr Sheehan was an MPP in this Legislature. Many MPPs in this House do provide advice and their opinions on matters, whether it's opposition members or not, including the member who is sitting there as well.

What I might say is this: the Red Tape Commission has had a very positive effect. We believe it has. The Red Tape Commission has repealed more than 50 outdated acts and amended more than 200 acts. It has eliminated more than 1,700 unnecessary regulations which the business community out there has identified as blockages to the creation of jobs that certainly existed under the previous two governments.

This government decided to do something positive to create jobs, to boost the economy, to make sure that Ontario certainly does strive. We believed cutting red tape then was a good idea; we believe cutting red tape today is a good idea.

WALKERTON TRAGEDY

Mr Howard Hampton (Kenora-Rainy River): My question is for the Deputy Premier. The Walkerton inquiry has revealed another example of how your government wilfully ignored an important warning that might have prevented the tainted water tragedy.

Last week we learned that your government ignored direct warnings from the Minister of Health about the need to protect water quality. But yesterday we learned that your own Minister of the Environment warned the agriculture minister as far back as 1998 that he had "serious concerns" that the Farm Practices Protection Act would "severely limit a municipality's ability to protect its water supplies." Sadly, the Minister of Agriculture simply shuffled off that warning.

My question, Deputy Premier, is this: on the important question of protecting Ontario's water quality, can you tell us how many people in your government shuffled the responsibility and simply shuffled the decision?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): As the member knows, there has been a production of—I believe the number is something like a million documents. An incredible number of documents have been produced. There has been full co-operation by the government of Ontario, by the ministers of the government, by the ministries of the government, in providing the documentation requested by Mr Justice O'Connor and the inquiry he has been conducting at Walkerton. That co-operation continues to the present time.

As the member opposite also knows, there are some ministers and former ministers who will be giving evidence directly, *viva voce*, at the inquiry within the next couple of weeks, I believe.

Mr Hampton: This was a specific warning from the Minister of the Environment, saying that he had “serious concerns” about the capacity of municipalities to protect their water quality. Do you know that the Minister of Agriculture didn't even dignify that warning with a response? He totally ignored it. Your own Minister of the Environment says, “Look, we've got serious concerns here that this could severely damage the capacity of municipalities to protect municipal water supply,” and your Minister of Agriculture ignores it. You had a responsibility to act. You were warned. Your government did nothing.

Minister, tell us, why did your government fail to protect the water quality in this instance? Why did the province fail to protect the people of Walkerton when you had warning after warning?

Hon Mr Flaherty: What I do know and what I can assure the member opposite is that we want answers to what happened at Walkerton, to the tragic events that happened at Walkerton. That's why we called the inquiry quickly last year. That's why the terms of reference for the inquiry headed by Mr Justice O'Connor are very broad and encompass the activities of this government and other governments in Ontario; the governments that preceded our government as well as this government since 1995. That's what I know.

I also know that this government has co-operated fully with Justice O'Connor's inquiry to ensure that from the beginning there has been the degree of co-operation that's essential so that he is able to arrive at conclusions.

I would not, as suggested by the member opposite, usurp the function of the commission and of the commissioner in purporting to come to conclusions before the judge has an opportunity to assess all of the evidence and come to his own informed conclusion.

The Speaker (Hon Gary Carr): Final supplementary.

Ms Marilyn Churley (Toronto-Danforth): Minister, stop stonewalling this House. You have a responsibility to the members here—

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The Speaker: Order. You can't use language like that.

Ms Churley: Stonewalling?

The Speaker: No, you can't use that. We ask you withdraw it, please.

Ms Churley: You have a responsibility to tell this House what happened. You had all kinds of warnings about your right-to-farm legislation, but your government, as usual, was too arrogant to listen. I know, because I sat on the committee that looked into the right-to-farm bill, and I was one of the people throwing up warning flags that something like Walkerton could happen in Ontario. I even put forward amendments to address these concerns, but your backbenchers literally laughed them off. They said, “Don't worry. This is not going to happen in Ontario. Be happy. We're all responsible here. We'll take care of it. Don't worry.”

Well, Minister, it did happen. And now we learn that your own Minister of the Environment expressed serious concerns that it could happen. It did happen. Why did you ignore his concerns, Minister?

Hon Mr Flaherty: I think it's probably likely that the member opposite would be quite concerned if anyone on this side of the House were to jump to conclusions about what Mr Justice O'Connor and his commission ought to conclude or not conclude, based on the evidence he has been gathering and that he has heard over the course of time since he began his work last year.

It's not our place, I say respectfully, to substitute our views for the views of Justice O'Connor. The entire purpose of appointing His Lordship to conduct the commission of inquiry was so that he would be able to gather all the evidence, assess it in time and report fully, not only to the members of this House, but to all of the people of Ontario, about the events at Walkerton.

AIR QUALITY

Mr Howard Hampton (Kenora-Rainy River): To the Minister of Energy: your air pollution policy is re-defining the words “dirty deal.” Ontario Power Generation's coal plants have exceeded voluntary pollution caps for greenhouse gas by more than 12 million tonnes. Why? Because of a loophole you created: pollution credit trading. It's the worst of all worlds: people get more pollution, and it adds millions of dollars to hydro bills. Meanwhile, you're so out of touch on this issue that you identified the dirtiest plant in the fleet as the, “cleaner Nanticoke plant.” Today the Sierra Club of Canada says your government is the worst in Canada on climate change. They gave you an F minus.

Minister, will you do something right? Will you today suspend your program that allows Ontario Power Generation to buy the right to exceed pollution limits?

Hon Jim Wilson (Minister of Energy, Science and Technology): Emission trading is a requirement. In fact, it's accepted worldwide by all the signatories to the Kyoto Protocol. I'd also note that today's Toronto Star article, quoting the Sierra Club, talks about the energy and environment ministers' meeting in Quebec City just last April.

Mr Newman and I attended that meeting, and what the federal government wanted us to sign were emission standards that were lower than are currently the standards

in the province of Ontario. We challenge them today, and we challenge every province and jurisdiction in this country, to come up to the high emission standards we have today in Ontario and the new high standards the Minister of the Environment is currently putting in place—not voluntary submission standards but tough new standards—that exceed those of the Environmental Protection Agency in the United States.

Mr Hampton: Minister, the issue is fairly simple: your government's shameful refusal to curb pollution at the dirtiest coal plants, both for greenhouse gas and for smog.

In light of today's announcement about pollution overruns by OPG, I want to ask the question your government refused to answer all last week during the smog alerts: when will you implement the policy you announced in this House on May 3 that Ontario Power Generation curtail its production at all coal plants during smog alerts? It's your policy, Minister. You have an obligation to tell us when it will be implemented.

Hon Mr Wilson: I've answered this question before for the honourable member, but I'm happy to do so again. That policy went into effect last year, in the year 2000, and it's in effect today.

Also, I remind the honourable member that Ontario has five coal plants. Again, our emission caps, our standards, are tougher than anywhere else in Canada. When the new standards come in, certainly they will be tougher than in the United States, and meet or exceed anything the EPA has today or may come up with in the future. That's the commitment of the government.

There are five coal plants in Ontario. In our US-Ontario airshed there are 205 coal plants, and remember, their air comes up here and pollutes, particularly southern Ontario and Toronto. Every one of those coal plants is dirtier than our fleet in Ontario. The Americans have to clean up their act. We're cleaning up our act. We're leading this country and we call on the federal government to get their facts right and to challenge other provinces and the international scene and make sure others follow the lead of Ontario.

WALKERTON TRAGEDY

Mr James J. Bradley (St Catharines): I have a question for the Deputy Premier. Day after day at the Walkerton inquiry some very revealing and embarrassing documents are brought forward and there is some devastating and embarrassing testimony that points the finger directly at the Harris government for its neglect and negligence.

Today we heard of another bizarre and unheeded exchange of warnings between the Minister of the Environment and the Minister of Agriculture that "would severely limit the ability of municipalities to deal with the protection of water supplies and the anticipated impacts of highly intensive agricultural operations that could have a devastating impact if located near homes." Earlier we heard of Jim Wilson running to Norm Sterling

about the danger to the water supply. We have some kind of WWF wrestling match going on here, some performance going on where the only power the ministers seem to have is to write memos to file to protect their own posteriors.

Isn't the real truth that the Premier's office knew all about these files going back and forth and failed to take action because you were determined to pursue cuts at any cost?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): It's apparent that the leader of the third party doesn't discuss his questions with the member for St Catharines. The same question was asked just a few minutes ago by the leader of the third party.

The answer has to be the same. Mr Justice O'Connor is conducting the inquiry. I say respectfully to the member opposite that it's not for him and it's not for me to prejudge the conclusions the judge may or may not arrive at after he's heard all the evidence. I say respectfully to the member opposite that he should have the patience to wait and the caution to ensure he has all the facts and all the evidence, as the commissioner will have, before jumping to conclusions and jumping to whatever other conditions or thoughts he may have about the matter. The purpose of having the inquiry, as the member opposite will remember from last year when Mr Justice O'Connor was appointed, was to have a highly respected judge in Ontario hear it all, balance what he hears and come to informed conclusions.

Mr Bradley: Sheila Willis, assistant deputy minister, writes to Richard Dicerni, deputy minister, about your cuts, "Increased environmental risk resulting from our inability to conduct proactive inspections" and "reduced level of responsiveness resulting in lowering of ministry credibility and damaging of our community relations" and "reduced ability to investigate and successful prosecution resulting in increased non-compliance and illegal activity." It says, "The government is prepared to accept increased risk (legal/environmental/public health) in the short term to achieve the desired levels of reduction."

Minister, here's the one that is the most revealing, "There are health and environmental risk associated with changes of this magnitude; and without significant legislative changes, that can only be expedited through an omnibus bill, this scale of downsizing exposes the government to unprecedented legal and public challenge."

Does that remind you of Bill 26? Was the purpose of Bill 26, hatched in the Premier's office, really to bury all the warnings about the consequences for the people of Ontario, their drinking water and their public health and safety? Wasn't that the real purpose of Bill 26 and wasn't that the gem of the Premier's office?

Hon Mr Flaherty: The member opposite refers to one document. The government of Ontario alone has provided the commission of inquiry with a million documents, in fact more than a million documents, and those are only the documents that have come from the government of Ontario. There are many other sources of

documents and there is all the in-person evidence that has been heard by the commissioner at Walkerton. He is conducting a thorough examination of the issue, and I'm surprised, quite frankly, that the member opposite would want to take one document and then make such a large leap to such a large conclusion, without wanting to take a balanced and informed view, as I'm sure we'll have from the commissioner.

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POST-SECONDARY EDUCATION

Mr Steve Gilchrist (Scarborough East): My question is for the Minister of Training, Colleges and Universities. Minister, I was troubled this morning to read an article in the *National Post* suggesting that our country is facing a decline in the number of students who are attending college and university, according to the OECD. The article went on to suggest that Canada is facing a drop in financial support for post-secondary education. When the world trend is toward a greater investment in post-secondary education, this would certainly be a concern.

While the national numbers are cause for attention, and I can certainly understand why a national newspaper would want to dwell on Canada-wide averages, before anyone draws the wrong conclusion about post-secondary trends in Ontario, could you tell the House whether the national averages apply here or what the true situation is here in Ontario?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): I appreciate the question from the member for Scarborough East. While the OECD study focused on all of Canada, right here in Ontario all members of this House know that we have more students in our post-secondary system than we've ever had before. The numbers basically have remained stable but the rate of 18- to 24-year-olds has increased.

To prepare for the increased enrolment, which all of us are doing as we look at the double cohort and the increased number of 18- to 24-year-olds, we have invested about \$1.8 billion, along with our private sector partners, to increase the number of our buildings. It's the highest infrastructure capital announcement we've had in over 30 years. So this is a historic time in Ontario for all the members in this House as we look to prepare for some 73,000 new students. Ontario is not facing a decline in post-secondary enrolment.

Mr Gilchrist: It's good to know that whatever the national trend, Ontario continues to have a good, strong demand for post-secondary education. What I found particularly disconcerting about the media suggestions of diminished support by our government for post-secondary was the glaring inconsistency with the announcement this morning of increased operating funds to support the growing number of students in Ontario.

While operating funds are important, I know you'll agree that we must support post-secondary education in a

variety of ways. Minister, what are you doing to ensure that Ontario's colleges and universities are ready to meet the challenges of increased enrolment in the years ahead?

Hon Mrs Cunningham: We have made a promise to all the students and their parents that every qualified and willing student will find a place in our post-secondary system. I will repeat that over \$1 billion in public money has been invested to create some 73,000 new spaces.

Today and at budget time we announced some \$297.5 million over three years. This is for the operating dollars. We've worked these numbers out with the chairs of the colleges and the university boards and of course the presidents. This is going to upgrade existing buildings for a new generation of students. We have invested \$228 million to expand the access to opportunities program, which will accommodate some 23,000 new students, and these are in areas where industry really needs them: in science and technology, computer science. We have increased funding through the Ontario research performance fund, \$30 million; the Premier's Research Excellence Award, \$85 million over 10 years; the Ontario Innovation Trust, \$750 million; the research and development challenge fund, \$550 million—

The Speaker (Hon Gary Carr): You couldn't quite get it all in.

CORPORATE TAXATION

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Finance. The 2001 budget announced that corporate taxes in Ontario were going to be moving to 25% lower than our competitors: 25% lower than the US, 25% lower than neighbouring US states.

Recognizing that the business community will locate and will grow in jurisdictions where they have a quality workforce, where there is investment in our universities and colleges, a quality health care system and a good environmental community, I want to ask the question: why has the Harris government concluded that in order to compete we now need to have corporate taxes 25% lower than our competitors?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): As the member opposite knows, the proposal in the budget is to legislate the remaining steps to reduce the corporate income tax rate to 8% by 2005, and the small business tax rate would be 4% by 2005. Yes, that would make the combined corporate tax rate in Ontario as low as any other corporate tax rate in Canada, and it would be lower than any of the corporate tax rates in any of the 50 states. It's important to be competitive. Our taxes are high; our taxes have been historically high. In 1995, Premier Harris led Canada when he began to reduce taxes. Every other provincial government and, finally, the federal government in October last year, having something to do with the federal election, I suppose, got on board and realized you have to reduce taxes if you want economic growth in this country. The government of British Columbia, a Liberal government,

just got elected last week. The first thing they did was reduce personal income tax by 25%. Lower taxes create jobs and economic growth. I wish the members opposite would understand that.

Mr Phillips: I return to the question of why Ontario needs corporate taxes 25% lower in order to compete? I go through a few things. According to your budget, we are now spending \$200 million less on our universities and colleges than five years ago. We heard earlier today that you're considering putting means tests on seniors to purchase drugs. We know the crisis we have in health care. We know the crisis we have in education. We know the crisis we have in the environment.

So I return to you: the business community says to us, "We want competitive taxes," and we agree 100%. But the business community also says, "We want a quality education system, a quality health care system and a quality environment." I want you to answer this question very directly, Mr Minister: tell me again why Ontario, in order to compete for the future, needs to have corporate taxes 25% lower than our competitive states, with a result that \$2 billion less is available to the province to invest in our universities, our colleges and our health care system? Why 25%?

Hon Mr Flaherty: In 1994-95, the member opposite was saying the same thing. They still don't get it on the other side of the House: if you reduce taxes, you will increase government revenues. They said it wasn't true then. I'm surprised he's still saying the same thing now. In fact, the revenues of the province of Ontario have gone up about \$15 billion since our government started reducing taxes in 1995. That's why you reduce taxes. It increases government revenues. It allows us to spend more than \$1 billion to create the spaces in our community colleges and universities, so those spaces will be there in 2003 and 2004. It permitted the Minister of Training, Colleges and Universities and me, as finance minister, to make a three-year commitment in this budget to our community colleges and universities. Listening to Howard Rundle from Fanshawe College, listening to Paul Davenport from the University of Western Ontario—

The Speaker: I'm afraid the minister's time is up.

SENIORS' HEALTH SERVICES

Mrs Tina R. Molinari (Thornhill): My question is for the minister responsible for seniors. As you know, on July 10, I will be hosting a seniors' lunch and seminar at the beautiful, historical Heintzmann House in Thornhill. I want to thank you for accepting the invitation to be our guest speaker at this luncheon. Health care and services for seniors will be topics they will want to talk about.

Last week, provincial finance ministers from across the country met in Montreal with the federal Minister of Finance, Paul Martin. I'm aware that health care funding under the Canada Health Act was a priority on their agenda. It is my understanding that the Ontario government challenged the federal government as to why the

costs of drug benefits, nursing home and home care for seniors are not included in the Canada Health Act, leaving all provinces to pay—

The Speaker (Hon Gary Carr): Order. I'm afraid the member's time is up. Minister?

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): I'd like to thank the member for Thornhill for her question and reassure her of what I think all people in this House know: that Ontario is a leader in providing health care services to seniors. In fact, in my 15 years in this House, I recall well over a decade ago that under the McGuinty Liberals we were not even getting as much as \$600-million worth of financial support for the drug program for seniors. In fact, they held up the formulary for over two and a half years, not allowing new drugs into the formulary for seniors. The Liberals, in both their 1995 and 1999 election red books, were absolutely silent about expanding the drug program, access for seniors, home care or nursing homes.

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The truth of the matter is that the Mike Harris government, which has increased funding to the drug plan to historical levels of almost \$1.9 billion, three times—

The Speaker: Order. I'm afraid the minister's time is up.

Mrs Molinari: York region has experienced tremendous growth in the last 15 years, while in some parts of Ontario the population has actually dropped. What efforts have been made to ensure that care for seniors is consistent where seniors choose to live?

Hon Mr Jackson: This government has expanded home care to the highest levels in Canada. Not only did we increase the drug program threefold, we've increased in some parts of the province fivefold over the Liberal government's commitment of home care.

The member for St Catharines will remember that he was receiving some of the lowest levels of care. So was Greg Sorbara in York region receiving some of the lowest care. In fact, the last year that Greg Sorbara served in a Liberal government in this House, they actually cut the funding to the York CCAC. This government, under the leadership of Mike Harris, Al Palladini and Tina Molinari, has increased it five—

The Speaker: Order. The minister's time is up.

COMMUNITY CARE ACCESS CENTRES

Ms Frances Lankin (Beaches-East York): My question is to the associate Minister of Health.

Interjections.

The Speaker (Hon Gary Carr): Stop the clock, please. We've finished with that question. We're now on to the member for Beaches-East York. I'd appreciate giving her consideration.

Ms Lankin: Minister, you will know that for the last number of weeks I have been raising the issue of cuts to home care for our seniors in communities across this province, and every time your government has very

artfully sidestepped the issue and talked about your base budget levels or your investments over the last number of years. I want to really bring it home because there are community care access centres that are receiving less money this year than last year. I wish you would admit that.

Let me talk about my community, East York. The East York CCAC is receiving \$1.4 million less this year to provide services than your government gave them last year to provide services. Today there are home care workers here from Community Care East York. They are on the front lines. These wonderful workers know the heartache their clients are facing with the decisions that have been made to cut their services.

I just want to ask you today, will you explain to them why you are providing East York with \$1.4 million less in home care? How do you defend the consequential cuts in services?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): Let me say first of all that when I look at the statistics from the Ministry of Health, they tell me that in 1995 Metropolitan Toronto region received \$111 million and now they're receiving \$238 million. Let me say to you that I think across Metropolitan Toronto it's indicative of the fact that we have invested into home care more than 72% increases. We want to make sure that quality services are as close to home as they possibly can be and we're working hard to do that. We've put dollars into that to ensure that the Mike Harris government shows its commitment to health care in Ontario.

The Speaker: Supplementary?

Ms Marilyn Churley (Toronto-Danforth): Minister, listen: this question is about my community of East York. Because of your budget freeze, in order to continue to care for the women and men currently receiving services, East York has had to cut out homemaking, reduce personal care to all but the most at risk—as you know, that's very narrowly defined—and will have to turn down 100 patients recently released from hospital every month—100 every month.

These 100 people cannot expect to get care from the Toronto East General Hospital in their community, because you've underfunded our hospitals by more than \$700 million this year. The frail people served by East York CCAC will not get the range of services they need because of your funding freeze. Tell me, what are these 100 people a month going to do?

Hon Mrs Johns: Let me say that we stand by the numbers. In 1995 Metropolitan Toronto received \$111 million, and it now receives \$238 million.

We have quotes from a number of CCACs across the province, and I want to say that The Liberal, the paper the minister talked about yesterday, said, "How many private corporations can say their budgets have grown 193%?"—

Ms Lankin: Would you talk about East York?

Hon Mrs Johns: That's the growth in the York CCAC budget, so it's not specifically East York, but it's

since 1995—"over the past seven years because they are serving a growing clientele?"

"The province and the entire country is re-evaluating how health care services are delivered," because of these large increases in population and growth demands. "Perhaps Ottawa will take home care agencies into account" when they decide how they are going to hand down funding to the province.

That's the problem. The province of Ontario and the Mike Harris government have made a substantial commitment—

The Speaker: The associate minister's time is up. New question.

ORGAN AND TISSUE DONATION

Mr Ernie Parsons (Prince Edward-Hastings): My question is also to the associate Minister of Health and Long-Term Care. Your government is committed to doubling the number of organ transplants in this province. I hope you're successful, although at the present time the numbers are actually declining. For an organ transplant recipient, the operation is just the beginning of a new life. They are faced with having \$25,000 to \$35,000 worth of anti-rejection drugs every year. Without a drug plan or an extremely good income, the recipient is not able to obtain those drugs in this province. If they are low-income or retired, it becomes absolutely worthless to have the transplant without the follow-up drugs.

My question to you is, what are you doing to ensure that every Ontarian has equal access to an organ transplant and an absolute guarantee that they will have the life-saving drugs they need for the rest of their life?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): As a result of the commitment by Mike Harris, we have moved by leaps and bounds. We have made a substantial commitment to make sure that organ and tissue donations in this province continue to increase and that more and more needy people receive these. In fact, I want to say that I was at the Hospital for Sick Children's event in the last month, and they have already gone through 100 heart transplants for young children this year in Ontario, an amazing statistic. What that really means is that people and young people across the province are getting life-saving organ transplants, which is what we should all be working toward. I say to everybody, if you haven't signed your donor card, it's time you do.

Let me say that the Trillium Gift of Life Network has been working to make sure people across the province have all the services they need to be able to receive organ and tissue transplants in Ontario.

Mr Parsons: That's a nice answer to some question, but it's not the question I asked.

I would like to tell you what is going on out in the real Ontario. I have a constituent who had a transplant a year ago. She now is faced with \$25,000 worth of drugs that she must purchase each year. She has a good job with a

partial drug plan, but she must now work two part-time jobs in addition to her full-time job just to pay for the medication. It is somewhat ironic, you must agree, that having had the live-saving operation, she can now not afford to live.

Minister, I want you to solve not her problem, but every problem. I want you to forget about the corporate tax cut that is your obsession. Will you immediately commit to ensuring that every Ontario citizen has quick, easy and affordable access to the necessary drugs after the organ transplant?

Hon Mrs Johns: Let me say first off that we on this side of the House and the people of Ontario know that tax cuts allowed revenue to increase in the province. That allowed us to increase spending in Ontario. That allowed us to invest \$5 billion more in health care in the province, and we all know that.

Let me also say that in 2000 we introduced legislation that talked about the Trillium Gift of Life Network. It's a new organization, and we've asked them to come up with a plan that will plan, promote, coordinate and support organ and tissue donation across the province. They came into effect in February 2001. I was at their opening, where their members came together. Let me say that they are going to do a terrific job to ensure that people across the province get the services they need so that we can begin to double heart transplants in the province of Ontario.

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HIGHWAY 400

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I have a question for the Minister of Transportation. Highway 400 and associated interchanges in the Barrie, Innisfil and Bradford areas are experiencing considerable traffic growth due to development pressures. The minister recently retained Cole Sherman and Associates to carry out a planning study for the Highway 400 corridor, from one kilometre south of Highway 89, northerly 30 kilometres to the junction of Highway 11.

Minister, can you update us as to the status of this planning study?

Hon Brad Clark (Minister of Transportation): I thank the member from Barrie-Simcoe-Bradford for this question. In the area of Barrie, Highway 400 is experiencing development pressure beyond anyone's wildest imagination. The growth has been absolutely phenomenal. Because of this growth, improvements to Highway 400 and its interchanges need to be evaluated in order to accommodate the current and future expansion in the Barrie area and the commercial and tourism traffic to the north.

The study my ministry is undertaking is examining the improvements required over the next 10 years to address traffic operation, capacity and safety needs that have been identified for the Highway 400 corridor. The study follows an environmental assessment process which includes full public and municipal consultation. The first

public information centre was held May 22 and 23 in Stroud and in Barrie.

At these events, the public have an opportunity to review and comment on alternatives under consideration, which encompass widening, interchange improvements, commuter parking lots etc. I stress, however, that our—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up. Supplementary.

Mr Tascona: Thank you, Minister. I and many of my constituents are opposed to and very concerned with an alternative that is being considered for Highway 400, which could result in the widening of the highway from six to 12 lanes. Minister, can you give us your position with respect to this proposed alternative?

Hon Mr Clark: I appreciate the member's concern and that of his constituents, and I say, at this date, that no decisions have been made as to the final configuration of the highway. Some public consultations have already been conducted, and my ministry is now reviewing the public input that we've received.

I assure you this input will be instrumental in our work to evaluate the alternatives under consideration. Once a preferred alternative is identified, we'll go back to the people once again for more consultation. This gives the residents and the municipalities an opportunity to provide direct input on the proposed plans. Even then there's another opportunity for another 30 days of study, which enables the residents and the community leaders again to consult with the Ministry of the Environment and the Ministry of Transportation.

I'm confident that the concerns of the member and his constituents will be fully addressed through the avenues that we have outlined.

COMMUNITY CARE ACCESS CENTRES

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Health. Minister, we've had a situation where there has been a clear crisis in home care in the city of Hamilton. You've had a report you've been sitting on since April 2, which was leaked to the Hamilton Spectator, which is starting to unveil some of the difficulties. Minister, you have sat on this report now for three months. You've hidden this report from the public; you have failed to act.

The report clearly has a number of recommendations that are marked "urgent" as a result of the health care crisis and the fear that seniors, the elderly and disabled individuals are being forced back into hospital because they're not receiving the adequate level of care that they need in their home.

Minister, you have had three months with this report. It was submitted to you on April 2. The crisis continues, and you have been irresponsible in not acting.

Will you commit today to release the report and take the necessary steps to deal with the situation and fix the situation you have caused in home care in Hamilton?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): I'd like to thank the

member opposite for the question, and I'd also like to thank the Minister of Transportation, who has continually been raising this issue as a concern in his community.

It certainly is an important report that we have received, and as the member opposite knows, the Ministry of Health takes time to review reports that they've received, so that we can have a close look at them. As soon as we've reviewed the report, we certainly have every intention of releasing it to the public, because we think it's important that the public knows what's going on in the CCAC in that district.

Mr Agostino: The report is out there in bits and pieces. You are the ones who failed to act. It was given to you on April 2, Minister.

Let's get some facts on the table. Since 1998, the shortfall between what you have funded for home care in Hamilton and the need is a 22% gap between the need and the funding. Minister, do you understand that people who are released from hospitals, who are sent home, can't get the level of care they need and are being forced back into the hospital? You have known about this at least since April. You've had three months. It is irresponsible not to act on such a serious concern. The recommendation will be marked "Urgent."

The media, the public, home care workers and patients now have bits and pieces of the report. You have a responsibility and a duty, Minister, to release that report today, to act on it and to take the necessary steps, because someone will die if you don't act. People aren't getting the care they need and are being forced back into the hospitals. Again, Minister, will you step in today, release the report and commit to implementing those recommendations to fix the problem that you have caused as a result of your lack of funding, directions and initiatives?

Hon Mrs Johns: I'm actually surprised by the members opposite. Let me say that this government entered into the operational review—we commissioned the operational review—because we wanted to ensure that the people of Hamilton and Wentworth were receiving the services, the service delivery and the financial wherewithal to be able to provide those services.

Let me tell you, the important thing to remember here is that in the Hamilton area, funding has increased dramatically, from \$35 millions in 1994-95 to \$53 million. It's an incredible increase. It should be good news for the people of the community.

What the report says is that some things need to be changed within the Hamilton CCAC. We certainly intend to release that report. We intend to follow through with the Minister of Transportation, as the member opposite has asked us to do. But let me say that that kind of increase, from \$35 million to \$53 million—

The Speaker: I'm afraid the minister's time's up.

MERC SWITCH-OUT PROGRAM

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): My question is to the Minister of the Environment. I read this morning that Pollution Probe has announced

Switch-Out, a program to recover mercury. I understand that the Ministry of the Environment is involved in this initiative. This seems to be an excellent example of a partnership between government and industry, as recommended by Val Gibbons in her report *Managing the Environment*.

Minister, can you tell us who was involved in this partnership and how this compares to Val Gibbons's report?

Hon Elizabeth Witmer (Minister of the Environment): We were very pleased yesterday to be involved as a partner in the initiative entitled the MERC Switch-Out program. It's intended to reduce the amount of mercury that is emitted into the air. We were very pleased to partner with Pollution Probe, Environment Canada, OPG, the Canadian Vehicle Manufacturers' Association and the Ontario Automotive Recyclers Association. In fact, the Canadian Auto Workers and the steel producers are involved as well.

I think this is a very good example of what Val Gibbons talks about: moving forward voluntarily in order to ensure that steps are taken in partnership to protect our environment. In this case, what we're trying to do is to ensure that we reduce the emission of mercury into the environment.

Mr Gill: This sounds like a great initiative. Initiatives like this will certainly add to the protection of the environment in Ontario, as well as in Canada. I understand that the release of mercury from switches when they are not extracted from cars is responsible for polluting Ontario's lakes and streams and may be a concern for aquatic life.

Minister, are there any other jurisdictions in Canada that are moving forward with this type of initiative, and can you tell the House what this will mean for Ontario?

Hon Mrs Witmer: I'm very pleased to say that Ontario is the first and only province that is taking steps to remove mercury switches from cars when cars are recycled. This is a pilot project, and we hope the project will be expanded across the entire province. We also hope this will be expanded across all of Canada.

I don't think people realize the tremendous negative impact when just one mercury switch is removed from a car, the damage that it can do to our lakes, and in turn, the damage it can do to human health when fish that contain mercury are ingested. So this is a very, very worthwhile project and I want to compliment all of the partners for their participation.

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ENERGY RATES

Mr Gilles Bisson (Timmins-James Bay): My question is to the Minister of Energy about his job-killing policy of hydro deregulation. In meetings with Falconbridge back in Timmins, I am being told that energy industry analysts are telling them that after the opening of the market, after your deregulation policies take effect next summer, they're expecting that peak power costs

will more than double by the summer of 2002. If that happens, they're telling me it puts in jeopardy hundreds of jobs at the metallurgical sites on the property at Timmins.

My question, Minister, is simply this: when are you going to stop this job-killing policy of deregulating Ontario Hydro and privatizing the same?

Hon Jim Wilson (Minister of Energy, Science and Technology): It's not been the experience in most other jurisdictions. Some 40 jurisdictions in the world that have undergone deregulation—in our case, it's reregulation. Electricity never was regulated in the province of Ontario, so it's not deregulation here, it's reregulation. It's introducing competition, it's trying to get rid of a \$38-billion debt legacy that's dragging down our economy and costing us unnecessary interest charges on our electricity bills every month. It's all about trying to get rid of the sins of the past and moving forward.

In 40 jurisdictions in the world, prices are lower today than they otherwise would have been under the old monopoly systems. That's been the positive experience.

Mr Howard Hampton (Kenora-Rainy River): California? Alberta?

Hon Mr Wilson: California and Alberta are anomalies. It's recognized around the world that the politicians in those jurisdictions simply failed to build enough power plants to keep up with demand. That's not a problem we have in Ontario at this time, and we expect that we'll move forward and have a very competitive and robust market.

Mr Bisson: Anomalies? I think the minister has been smoking what's coming out of those smokestacks and is starting to hallucinate.

The reality is, there are plants in this province that are saying they're going to be in a position of having to shut down their operations in Timmins, part of the metallurgical sites, and move off those properties either to Quebec or Manitoba, where there is publicly owned hydro, where it is regulated. Why? Because it's cheaper for them to do business there because of the competitive advantage of lower prices.

I say to you again, Minister: we see jobs being killed in Kenora, and there's a possibility of jobs being killed in the city of Timmins. I want to know from you, when are you going to stop this policy that is leading to the loss of jobs across this province?

Hon Mr Wilson: Indeed, Falconbridge is one of the companies that's represented on the minister's electricity transition committee and also on one of the regulator boards—the independent electricity market operator. Falconbridge from the top down has consistently urged this government to move forward, to introduce competition so they can better manage the challenges they're having with respect to energy prices, particularly in the northern part of our province.

Those companies that this member is to represent—he is in fact not representing their views in this House with this question. Those companies have said very clearly in writing and in meeting after meeting, as recently as two weeks ago, to this minister and this government, "Please

open up the market as quickly as possible so that we can take advantage of competition and move to expand our presence in Ontario."

They look forward to a very robust and competitive electricity market. In fact, the experience in some 23 states in the United States is that the number of jobs in the electricity sector has doubled since deregulation or competition was introduced in those jurisdictions.

PETITIONS

HOME CARE

Mr Michael A. Brown (Algoma-Manitowlin): I have petitions from hundreds, if not thousands, of my constituents.

"To the Legislature Assembly of Ontario:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control of community care access centres; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy setting for home care services through rational, population-based health planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing" demands; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three months before the commencement of this fiscal year."

These are signed by constituents from Mindemoya to Killarney and places like Webbwood.

EDUCATION TAX CREDIT

Mr Peter Kormos (Niagara Centre): I've got a standing-up-for-public-education petition addressed to the Legislative Assembly of Ontario.

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I have signed that petition as well.

Mr Wayne Wettlaufer (Kitchener Centre): I have a petition here from Ted McMeekin's riding of Ancaster-Dundas-Flamborough-Aldershot. It's signed by 397 people.

"To the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I will be signing this in support of it and I will be replying to each one of those people.

Mr Dave Levac (Brant): A petition against tax credits for private schools:

"To the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

It's signed by hundreds of people, and I affix my name to it and provide this to Sarah, our page.

PROVINCE OF ONTARIO SAVINGS OFFICE

Mr David Christopherson (Hamilton West): I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Province of Ontario Savings Office was created in 1922 by united farmers and labour as a unique banking facility that allowed Ontarians to invest in their province; and

"Whereas the Province of Ontario Savings Office enjoys a strong popularity among Ontario residents, with over 100,000 accounts and over \$2.8 billion on deposit; and

"Whereas the Province of Ontario Savings Office offers customers attractive interest rates, generous chequing privileges and personalized efficient service, and every dollar deposited is guaranteed by the province of Ontario; and

"Whereas POSO has 23 branches serving 17 communities across Ontario, including Hamilton, Windsor, Ottawa and small communities in northern Ontario not served by other banks or trust companies. Places like Pickle Lake, Armstrong, Killarney, Gogama and Virginiatown; and

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"Whereas the Harris government announced in its latest budget that it will put the Province of Ontario Savings Office on the auction block, even though it is a consistent revenue generator, and even though this revenue could help Ontario's crumbling infrastructure after years of Tory neglect;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To save the people's bank, the Province of Ontario Savings Office so that it can continue its historic role of providing excellent banking services to families in communities across Ontario; so that people in small towns will not be forced to go farther afield for banking services and forced to go to private, for-profit banks."

On behalf of myself and my NDP colleagues, I add my name to this petition.

EDUCATION TAX CREDIT

Ms Marilyn Mushinski (Scarborough Centre): I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Sikh, Muslim, Jewish, Hindu or other religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of these students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I am pleased to affix my signature to this petition.

SALE OF SCHOOLS

Mr Tony Ruprecht (Davenport): I have a petition addressed to the Parliament of Ontario and it reads as follows:

"Whereas Hughes Public School at 17 Innes Avenue in the city of Toronto closed down and its premises have been declared surplus by the Toronto District School Board;

"Whereas the city of Toronto has issued a building permit to the Toronto District School Board permitting the reconstruction of Hughes Public School for an entity called Beatrice House, for the purpose of a private academic school;

"Whereas the Beatrice House is not a private school registered with the Ministry of Education, nor a mident has been issued to that organization;

"Whereas local taxpayers' concerns have been ignored...

"Whereas other locations, such as the Brother Edmund Rice School ... or the Earls Court Public School ... which are being closed down, have been offered to Beatrice House to no avail;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Honourable Minister of Education investigate the leasing arrangement between the Toronto District School Board and Beatrice House inasmuch as:

"(1) Boards are to seek fair market value when selling, leasing or otherwise disposing of schools...

"(2) Boards are to offer the property to coterminous boards and other public agencies operating in the area...

"(3) Toronto District School Board has not dealt in good faith with our neighbourhood residents;

"Therefore, we respectfully ask you to consider our plea for justice. The Toronto District School Board has ignored our concerns and due diligence. We as a community tried everything within our power to fight the glaring and obvious wrong done to us, to no avail."

Since I am in agreement, I'm ready to sign this as well.

EDUCATION TAX CREDIT

Mr Gilles Bisson (Timmins-James Bay): I have a petition here to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the tax credits for private schools will create a two-tier education system;

"Whereas the government plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for a two-tiered education system and properly fund public education in Ontario."

I sign that petition.

The Speaker: Petitions?

Mr Bob Wood (London West): I have a petition that's signed by 1,058 people.

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

EDUCATION FUNDING

Mr Michael A. Brown (Algoma-Manitoulin): I have a petition. I want to thank M. Georges Albert for circulating it.

"To the Legislative Assembly of Ontario:

"Whereas we believe that all education resources should be directed to our public schools, not private schools;

"Whereas Mike Harris has been attacking public education for six years, chopping \$1.8 billion from the classroom and now wants to pay parents to leave public education for private schools;

"Whereas we believe that a voucher plan for private schools is wrong, unfair and steals money from public education;

"Whereas we believe that these funds being invested in private schools would be better spent on rebuilding public education through such measures as bringing class sizes down to 20 students per class in the early years;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not turn your back on Ontario's working families. Fight Mike Harris's voucher system for private schools. Fight for smaller class sizes. Fight for public education."

As I said, these signatures are mostly from the Blind River area in my constituency. I support this petition.

EDUCATION TAX CREDIT

Mr Gilles Bisson (Timmins-James Bay): This time I have a petition from the town of Kapuskasing. It reads:

"To the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create a two-tier education system;

"Whereas the government plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario; and

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the Ontario government to withdraw its plan for a two-tiered education system and properly fund public education in Ontario."

I sign the petition.

PROPOSED INDUSTRY SITE

Mr Wayne Wettlaufer (Kitchener Centre): I have a petition here to the Legislative Assembly of Ontario. It is signed by 6,036 people from in and around my riding of Kitchener Centre.

"Regarding the applications by General Environmental Group Inc ...

"Whereas the proposed site is in the middle of several long-standing residential neighbourhoods;

"Whereas the proposed site is within 600 metres of a major hospital, and the largest public park in Kitchener-Waterloo, as well as numerous schools and churches, and is within 100 metres of a public outdoor swimming pool and the TransCanada Trail;

"Whereas the high volume of heavy truck traffic associated with this industry would worsen the already seriously poor air quality in the city core;

"We, the undersigned, petition the Legislative Assembly of Ontario and the Ministry of the Environment for the province of Ontario as follows:

"We call on the Legislative Assembly of Ontario and the Ministry of the Environment for the province of Ontario to immediately suspend consideration of this proposal;

"Further, we call upon the Legislative Assembly of Ontario to initiate a full environmental assessment and open public hearings before any further consideration is given to the proposal."

I'm pleased to affix my signature.

ORDERS OF THE DAY

MPP COMPENSATION REFORM ACT (ARM'S LENGTH PROCESS), 2001

LOI DE 2001 PORTANT RÉFORME DE LA RÉTRIBUTION DES DÉPUTÉS (PROCESSUS SANS LIEN DE DÉPENDANCE)

Resuming the debate adjourned on June 18, 2001, on the motion for second reading of Bill 82, An Act to amend the Legislative Assembly Act to provide an arm's length process to determine members' compensation / Projet de loi 82, Loi modifiant la Loi sur l'Assemblée législative pour établir un processus sans lien de dépendance permettant de fixer la rétribution des députés.

1530

The Speaker (Hon Gary Carr): Further debate? The member for Nickel Belt.

Ms Shelley Martel (Nickel Belt): Thank you, Speaker. In the time that I have today to deal with Bill 82, I'm going to try and deal with two areas of concern that I have. They are serious areas of concern and I will do this in as serious a manner as I can.

The first has to do with my concern with respect to the process the government has introduced through Bill 82. The second has to do with my concern with respect to the context, or the environment, within which the government would bring forward a bill that would lead to an increase in pay. By the environment, I mean the environment out in Ontario with respect to other workers and what other workers have experienced in terms of pay over the last two years.

Let me deal first with my concerns about the process. I don't think I have an overwhelming concern with respect to an outside body dealing with what will always be a very controversial issue: members' pay. Let me begin there. The concern I have with the proposal the government brings forward, however, is that at no point in time will that outside body, charged with making a recommendation about pay, ever have to bring that recommendation back to the Legislature for MPPs to ultimately vote on.

At the heart of my concern really is the question of accountability. If, as legislators, we deal with the pay of other people in this province, and we certainly do, with respect to the pay particularly of public servants, where we have to have votes about what those increases would be, why is it that we are not prepared to also exercise accountability when it comes to a vote on our own pay? It seems to me we have a responsibility to be accountable in that way. We should be fully prepared to say to our constituents, "Yes, I voted for that increase and here is why I voted in the way I did," or, "No, I did not vote for that increase and here is the why and the reason for that."

We are elected by our constituents. On every other issue of public policy, when we vote, we are accountable, whether that's voting with respect to changes in social assistance, changes to MNR policy or changes that affect privatization. In every way we are accountable for the decisions that are made in this place that affect all of the public of Ontario, so there should be no reason why, in the same way, we would choose not to be accountable for the issue of our own pay.

I don't understand the distinction the government would like to make, to have a separate body deal with the issue and for us not even to be accountable enough to vote on that at the end of the day. I think we should be. I think that's our responsibility as legislators. We would expect that in every other jurisdiction, I gather, except for Nova Scotia, which has a proposal that is similar to the one this government brings forward in Bill 82. We should bring those things back to this place as an amendment to the Legislative Assembly Act, have a debate and have a vote. That's the right thing to do. That demonstrates accountability. That demonstrates responsibility.

The government will have this issue, which I admit is a controversial issue no matter what day of the year it is,

go to an individual, the Integrity Commissioner, and he will make a decision. Herein lies my second concern. The Integrity Commissioner is an officer of this House, of this assembly. He is, at the end of the day, chosen by the members of this assembly, as is the Environmental Commissioner and the other officers of the assembly. It seems to me that if the government wants to go down this road, and it seems that they are prepared to go down this road, then the government would at least want to give every perception that there is no link between that body or that individual making a decision about pay and us as MPPs.

I'm not questioning the integrity of the Integrity Commissioner, whoever that may end up being on a permanent basis. But it seems to me there is a very legitimate public argument that there is too strong a link between the two. We as MPPs select the Integrity Commissioner. We deal with his or her pay. We deal with all the rules surrounding that position. And now we would be asking that individual to make recommendations about our pay too. For too many members of the public, I think, that is too close, too cozy, a relationship for comfort. It gives the impression, completely unwarranted I argue, that if we do something for the Integrity Commissioner, then he or she would do something for us with respect to pay. I don't like that link. I don't like it at all.

I think there's an obligation on the part of the government, if they're going to proceed in this way, to make a choice about who will deal with the issue and have someone who has no link back to us, who is not beholden to us for his or her position, not beholden to members for his or her pay and not beholden to members for his or her conditions or terms of employment. I think it is incumbent on the government to recognize that a perception of conflict will exist if this continues to be the individual who will be responsible for dealing with this issue. The government would be wise—very wise—to cut our ties with respect to having any officer of the assembly deal with the issue of pay and instead move it to a truly independent commission, a body of individuals who are not beholden to us as MPPs for their pay or conditions of employment, who have no link back to us whatsoever, so clearly there is no room for even the slightest perception of a conflict of interest between the two.

Thirdly, the bill, as I read it, lists nothing with respect to the comparators the Integrity Commissioner would be asked to examine in dealing with the issue of pay. It seems to me there are some likely comparators that this individual should be charged to look at. For example, there are any number of other provincial jurisdictions which have provincial MLAs, as they are usually described in other provinces, who also deal with the issue of pay. It seems to me that some terms of reference should be clearly outlined that say the comparison will be to other MPPs, to men and women in other provinces across this country who do the same work we do, who have the same responsibilities that we do, who deal with the kind of travel between their ridings and the assembly that we do and who deal with provincial budgets that are similar to ours.

If we were to do that, we might give the public a clearer sense that the comparison would be a fair one, would be an appropriate one, would be a reasonable one. But there are no guidelines in Bill 82 with respect to the comparators or the comparisons. As I read it, there's no direction given at all to the individual who will come back with a recommendation about our pay to say to whom it is legitimate to compare us in terms of pay. Again, I think there is some kind of obligation on the government, if it wants to proceed down this road—and surely they do—to set in place some really clear rules about comparators, so that the public of Ontario can make realistic decisions about whatever pay comes back. Is it appropriate? Is it reasonable? Is it legitimate? Does it reflect the pay of other provincial politicians doing similar work in other provinces across this country?

1540

None of those things has been taken into account by the government. Instead, we are facing a process whereby the thorny issue of pay will be taken out of our hands. I guess that makes it easier, or is supposed to make it easier, for all of us. But it takes away our accountability and our responsibility in that effect. If we are accountable and responsible for every other bit of business we do in this place, then we should be accountable for the issue of our pay.

I continue to be very concerned that we set up different rules in the province, a set of rules for ourselves as MPPs where an issue will be decided out of this place, where a recommendation will be made. There will be no debate; there will be no vote. It will be automatically implemented even if it's retroactive, regardless of the amount of salary and the situation with other people in the public, where we have to make a decision about their level of pay, where there is debate, where there is a vote. Why are we setting up a completely different structure for ourselves? Doesn't anyone else worry about the public perception of setting up very different rules for ourselves when it comes to the issue of pay?

I think we should be voting on the issue of pay. I think there should be a debate. If there is going to be an independent commission, then I think the individuals involved have to be separate and apart from officers of this assembly, no connection whatsoever. If they bring that recommendation back, it should come back in the form of a report. Its recommendations should be included as amendments to the Legislative Assembly Act, which has been the practice that we have followed in this province for many years. Those recommendations should then be the subject of debate and public scrutiny and, finally, a vote. That's the way it should be done.

My second concern outside of the process has to do with the environment in which the government brings this bill forward. I ask members of the assembly to consider the following. The government brings this bill forward at a time when many other people in our society have not had a raise in pay for many years now, and in some cases—the people I am going to reference—a decade. I wonder about the government bringing forward

a bill that I think is going to lead to probably a substantial increase in pay, if the comparator becomes the federal House, at the same time that any number of individuals have not seen a change in their pay despite the economic times that this government has boasted about.

A couple of groups, if I might: minimum wage earners in this province, who last saw an increase in pay January 1, 1995, under our government. I was proud to be part of a government that every year during our mandate raised the minimum wage and recognized that people who were making the minimum wage were the lowest paid in the province and deserved to get a pay raise every year so they could keep up with trying to feed their families and keep a roof over their heads.

Our party has on two occasions moved forward a private member's bill to increase the minimum wage to \$7.50 an hour, which would be the comparator to the minimum wage in the United States. It's interesting that in the United States on two occasions, under a Republican Congress, those congresspeople voted to increase the minimum wage to what would be a comparable \$7.50 an hour, and it is clear that when they did that, the economy continued to boom. There was no negative consequence or impact whatsoever.

Yet this government and this Minister of Labour continue to insist that there is no need to raise the minimum wage, which is now \$6.85 an hour and which is not even a living wage in this province. We know that people who are on minimum wage in Ontario don't have a pension plan that they're contributing to, don't have their benefits paid for. They are trying to make ends meet on \$6.85 an hour, and even over a 40-hour workweek would be lucky to pay their rent at the end of the month, much less having much money for much else after that.

So I say to the government as it brings forward a bill that's going to raise our pay, what happened to minimum wage earners in this province? Why are you leaving them behind yet again? You've done nothing for them, the poorest-paid in this province, for six years now, but it seems we've got some money to increase our own pay. What about people earning the minimum wage? Where do they fit in?

Let me deal with those people who receive a personal needs allowance. We had a group of them from Hamilton in the gallery last Thursday. They made it clear that they have received \$112 a month to meet their personal needs, be they in nursing homes, their long-term-care facilities, hostels, shelters, homes for special care, and that has been the case for a decade now. For a decade, these same individuals have received \$112 a month. The last time they got an increase was in 1991 under our government. They have been frozen at \$112 a month since then.

In the good economic times that we've had, why hasn't this government been able to do something for these people, the seniors, the disabled, some of the people receiving the lowest amount of income in Ontario? As we bring forward Bill 82, which will no doubt lead to an increase, we say nothing to these people, we have nothing to offer. The government brings forward nothing

with respect to doing something about the personal needs allowance.

I refer the government to women who are waiting for proxy pay equity, 100,000 women in the province who are the lowest paid, who work in the public sector doing incredible work in child care centres, in homes for the aged, in nursing homes, in libraries etc. One of the first actions this government took was to cancel pay equity for these women, the amount of money that would bring them up to recognize the important work they do.

You will recall, Speaker, that Mary Cornish and other Ontario trade unions took the government to court and won at the Court of Appeal in 1997, and the government was told, "Pay pay equity to these 100,000 of the lowest-paid women working in the public sector in this province." What did the government do? The government made a payout up until the end of December 1998 and then put a cap. We see now that Mary Cornish and those same five unions went back to court in May of this year because, as they said clearly, the government owes another \$140 million to these women, and the current \$500-million payout, which has been capped, will cover only the non-proxy pay equity workers. Mary Cornish said another \$505 million is required to bring all female workers up to par over the next five years. So they're back in court for the second time, trying to force the government to do what it should have done after the first court ruling, which was to pay these women the money they were owed under the pay equity law in this province.

Here we are again. The lowest-paid women in Ontario, doing incredible work in the public service, working with our seniors, working with our kids, our most valuable resource, and they haven't seen their pay equity increases. They've been frozen, capped by this government, as of December 1998.

What about the people on social assistance? They haven't even been frozen; they were cut by this government over 21%. We know, because of the many reports on child poverty that have been issued, particularly in the last 18 months, that that cut has had a dramatic impact on families in this province, that many of those families on social assistance are using food banks and many of those families on social assistance are having a heck of a time paying their rent. Many of them have been forced into hostels.

As we bring forward this bill, this government again has nothing to say about doing something with respect to increasing pay for these folks. Remember, 400,000 of these folks are kids. Surely, after being cut 21% and then frozen, they deserve to see a benefit from this economy too.

Those are but a couple of the groups in this province who have seen nothing with respect to increase in pay or special-needs allowance or social assistance under this government, despite the boom over the last six years, when this government has had more than enough money to do something for the poorest of the poor.

I regret that the government brings this bill forward in that context, in that environment, and has nothing to say,

nothing to offer, and presumably no action they want to take to deal with the pay of the poorest in the province of Ontario.

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The Speaker: Questions and comments?

Mr Wayne Wettlaufer (Kitchener Centre): I'm surprised to hear the member for Nickel Belt say that there's nothing to say. This bill is all about process and keeping conflict away. I cannot imagine any greater conflict than to have members of this place vote on our own salaries. By appointing an independent third party, ie, the Integrity Commissioner in this case, to review any increases or reductions or whatever as he sees fit from time to time is the greatest accountability that I can imagine in this place.

Mr Gilles Bisson (Timmins-James Bay): I just want to comment on a couple of aspects of the speech given by my colleague from Sudbury. First, and this really needs to be stressed, there is a difficulty in our minds, as New Democrats, that we should allow an outside body not only to determine what our rate of pay should be but actually at the end of the day to be able to enact whatever that pay raise is without us, as members, voting on it. What we're being asked to do here today, if we vote in favour of this motion, is to basically vote *carte blanche* to accept whatever the recommendation will be. I find that somewhat difficult, as I think the vote might be a different outcome if we knew what the outcome of the report would be. To vote on something *carte blanche*, without knowing what the outcome is going to be, I think is a little bit beyond the pale. I believe we have a responsibility to our constituents and we have a responsibility, I would argue, to ourselves, at the end of the day, to stand and say, yea or nay, "I'm in favour" of a 10%, 15%, 20% or as much as a 70% increase, which could happen if the commissioner comes back with that.

The second point she made that I want to comment on is true. In comparison to other people out in society, it's difficult for me as a legislator, as I think it is for everybody here, to accept an increase of the magnitude that is possible, considering these people haven't got anything in the last number of years. I look at minimum-wage workers across the province, particularly in my communities, who have not had a pay increase since 1995. I say, why don't we do something for them? Certainly we know they deserve it; they work hard. What about all the people who work in the public sector and broader public sector who have taken wage reductions or freezes or very little increases in some cases? What are we doing for those people? We're saying to them, "You should tighten your belt, but we shouldn't tighten ours." I believe it's important that we, as legislators, lead a little bit by example and that we say what's good for the goose is good for the gander. If we're telling people to tighten their belts, we should do the same.

Mr Steve Gilchrist (Scarborough East): I'm going to be very brief, except to suggest to the member for Nickel Belt that this bill is quite consistent with what we've done about the perks and privileges that were

historically accorded to members in this chamber. We were the government that got elected in 1995 saying we would eliminate the gold-plated pension, and we did. We said we would eliminate the per diems, and we did. We eliminated all sorts of things the public didn't even know existed, like the free \$200 briefcase you used to buy for yourselves every session; every member of Parliament was given a free briefcase every session—a preposterous waste of money.

The bottom line is that this is about making sure we aren't in the conflict-of-interest position of setting our own salaries. If the members opposite are uncomfortable about that—we heard one member suggest a second ago that it would depend on the percentage increase. Perhaps in her two-minute response the member, if she agrees with that point, would like to lay out what percentage she is comfortable with or whether she'll be opting out of any possible increase, or decrease, if that were the recommendation of the Integrity Commissioner.

Mr David Caplan (Don Valley East): I have a question for the members of the New Democratic Party. I certainly do appreciate the arguments they make. Back in 1988, then-opposition leader Bob Rae had these comments when it came to salaries for members of the Legislative Assembly: "I do not think it is right that we should be put in the same position every year of having to determine our own salaries. It is inappropriate and it puts us in an invidious position, and I think it is wrong." He says in the Hansard, "Let the commission decide what the raise should be and let that be the end of it. I hope we never have to have another debate in this place or any other place in terms of what our salaries should be."

Mr Gilchrist: Who said that?

Mr Caplan: That's Robert K. Rae. That was on January 19, 1988. My question to the member from Nickel Belt or any other member of the New Democratic Party is: that was your position then; has your position changed today?

The Speaker: Response?

Ms Martel: I say to the member from Scarborough East, yes, you were the group that got rid of the gold-plated pensions, and your backbenchers have been whining about it ever since.

Interjections.

Ms Martel: A number of them are nodding over here.

That is why we're in the position that we are today of having a bill that sends pay out for someone else to deal with. Let's be clear about how we got here, if we were being honest about the situation.

I think we should continue with the process that we have in place. Look, if you want to send it out to an independent body, make it an independent body, someone who has no ties back to this assembly, as the Integrity Commissioner obviously does. His pay and his terms and conditions depend on us. If you want to make it independent, cut that tie and find an independent body that looks at comparisons that are relevant, ie, comparisons to what other MLAs make in other provinces who do the work we do. Bring that recommendation back to this

House and move it as an amendment to the Legislative Assembly Act, which is the process we have followed in this House when we have been dealing with pay. When it is moved as an amendment to the Legislative Assembly Act, it must be passed as any other bill. It allows for debate, it allows for public hearings, and most of all, it obliges us to vote—to vote. We are setting up a scenario where we would vote on the increase of everyone else but not our own pay. Why are we doing that? Where's the accountability? If we want to be accountable, we make the change through the amendment and we vote. That would be the responsible thing to do.

In conclusion, I say to the government members, consider again the context, the environment in which you bring this forward. We have people who have been frozen, who have not had a pay increase in over 10 years, and you say nothing to them today about what you're going to do to help them.

The Speaker: Further debate?

Mr Tony Martin (Sault Ste Marie): I appreciate the opportunity to put a few words on the record this afternoon on this very difficult subject, one that's very delicate and certainly charged with all kinds of political intrigue and, at the end of the day, consequence for everybody concerned. However, being here today in this place dealing with this process in this manner should not surprise anybody who's been watching this Legislature for the last five or six years. This is a government that has set quite an obvious pattern for itself and in this instance is continuing down that same road.

This is a government that doesn't deal with controversy or difficult political issues well. From our perspective, certainly from their own perspective, they've been quite adept and intelligent where that is concerned. Their approach to issues of political delicacy is to shift it as far away from them, in terms of responsibility, as they possibly can. We've seen that with the kind of downloading of responsibility that has happened over the last five or six years from this government to all kinds of boards and agencies, all kinds of municipalities across this province, where there have been issues of some political negative consequence such as cutting programs or raising taxes, so that at the end of the day they couldn't be in any way smeared with the brush that would give them the taint of having done something that didn't sit well, particularly when it came to the next election and trying to reap some of the benefit of that.

So the process we're dealing with re this increase in salary for members of the Legislature shouldn't surprise anybody. They tried a couple of times to bring it forward in the House but failed miserably, I suggest because they didn't have the courage or the integral backbone to bring the bill they floated, that we all heard about, that hit the press, that the general public rose up in great distress about, to bring that forward so we might have that debate here, as we've had for many, many years now, about the issue of salaries for the members of this place, and a discussion that at the end of the day usually wound up with an increase that was probably fair and balanced but,

yes, that the government of the day took most of the flak for. Usually it lasted about a week or two and then life went on.

This government hasn't had the intestinal fortitude to bring that kind of bill forward and to have that kind of debate here so it might play itself out in the best democratic fashion we have access to.

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The other side of this process is the habit of this government of contracting out or shunting off issues of some sensibility when dealing with organized labour or government agencies or, in particular, the poor. This is a government that believes the rich don't have enough and the poor have too much. They've been consistently introducing initiatives in this House over their five or six years to indicate that they are going to fix that reality, that they're going to make sure that those who are well off get more, as in this instance, and that those who don't have very much get taken away from them the meagre little they do get.

They don't have the stomach for it themselves, although from time to time they do get up, at press conferences and in this House, when they know it's politically a positive thing to do, to hammer away at the poor or the disabled or the workers or government, but when it comes to actually getting your hands dirty, rolling up your sleeves and doing the deed yourself, they don't seem to have the stomach for it; for example, the way they're dealing in this province with those who are most vulnerable and marginalized.

This place has been, over a number of years, the conscience of the province, the place where communities across this province send members to speak on their behalf, to debate issues and then to make decisions that reflect that we have a collective and communal conscience in the community of Ontario.

We now have two instances where they've reneged on that responsibility, the bill that is in front of us and, over the last two or three years, where when it comes to dealing with the marginalized, those most vulnerable and at risk among us in our communities, they've shunted that responsibility off to one of the biggest multinational corporations in the world today—it used to be called Andersen Consulting; it is now called Accenture—so that they can go out and actually dream up all the new and innovative ways to take away from those who don't have, from the poor, that which they already have, so that they might have in their coffers enough to actually balance the budget, so that in turn they can bring forward a bill such as the one we have here so that they can live up to a commitment they made in a budget some few years ago, where they said, "As soon as we balance the budget, then we will consider increases to the income of the members."

The point I'm making is that the process that's in place should not surprise anybody. This government has a penchant for handing off, passing off, tossing off to somebody else those hot potatoes that they don't have the intestinal fortitude to do themselves. As with the instance

of tossing off issues of how we deal with the most vulnerable and marginalized in our community to Andersen Consulting, we have a toss-off to the Integrity Commissioner who, yes, will come back later in the year with a recommendation that will become what we will all have to deal with ultimately and take the political heat for.

The next question I want to deal with in the time I have this afternoon is the question of why we're here in the first place, why this is such a difficult issue, why it would be that people out there, confronted with the possibility of an increase to the income of members who serve them in this place, who work with them around all kinds of interesting and challenging circumstances—why they would be so incensed about the fact there may be the possibility of some significant increase in our income here.

We have a group of members across the way who came here in 1995, convinced that government was no good, that government was actually a hindrance to any progress we as a province might make. Whether it was in terms of the economy, whether it was in developing social programs, whether it was in delivering health care or education, that was all we heard throughout the election of 1995.

Then we came here and listened for the first time to members opposite speak about government, the delivery of government programs and the efficiency—or lack thereof, in their minds—of that delivery, the inadequacy of government. So they moved very rapidly and quickly to devalue the work we all do here, devalue the role of government in our society and devalue, in connection with that, the work that so many, literally thousands of people across this province, do every day in their attempts to deliver programs that government delivers.

As this government is beginning to realize in so many areas across the board, you ultimately reap what you sow. This is a government, as the member from Scarborough said a few minutes ago, that moved very aggressively and quickly to change the way we members were remunerated for the work we do. They did away with what they called "the gold-plated pension plan," only to realize three or four years later, particularly after the second election, when most of them got re-elected, that what they'd done was diminish the income of members here to a point where it began to be difficult, particularly for members of the government side who came here from pretty impressive executive positions in some of the bigger corporations around the province—they realized they were going to be here for a while, and the income, all of a sudden, wasn't what they expected it would be. You only begin to realize that after you've been here for two or three years and discover the cost of doing business as an MPP.

The so-called gold-plated pension plan wasn't so gold-plated in the first place. The pension plan they put in place by way of a pension for members, for all intents and purposes, had nothing except for a small contribution to an RRSP that, at the end of the day—I think mine,

over the last five or six years, has amounted to about \$29,000. That doesn't buy you much in today's world.

So they diminished—I suggest they made a mistake, initially, in their evaluation and analysis and understanding of the work of this place, of the work of the members in this place, of the work of government, of the value of government to the quality of life we all participate in in this province and that we oftentimes take for granted.

That's another reason we're here today: the government of the day devalued the work we do, that government does, driven by their friends and benefactors out there who very seriously and sincerely want to do away with government so the market can take over and have its way. It's that work that you have done, you and your friends in the media, particularly the folks who own the media. I'm not speaking of individual reporters, who do a very good job of trying to ferret out the truth of issues, but the newspaper barons, the media barons out there and so many others who have devalued the importance of government in our society today and thereby devalued the contribution that everybody who works in government makes, including members of Parliament.

So here we are at a very difficult juncture in time. Government is pushing through a raise in income for members of this place at a time when they're beginning to reap what they sowed, which is a diminishing value put on that work by the general public out there. So it becomes difficult. Because it's difficult, this government has chosen, after two attempts to bring it forward in the House now, to toss it off to the Integrity Commissioner to do with it what he will. We'll see the result.

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The other thing I think we have to consider here this afternoon very clearly is, who is driving this particular piece of business that we're dealing with? Is it the New Democratic Party caucus? I think not. Is it the Liberals? I think not. It's the members of the government party driving this. It's the backbenchers in particular recognizing that, as I said a few minutes ago, the income that we all make here, even though substantial and something that a lot of people out there would love to have, is not in keeping with the incomes that some of them had before they came here. After being here now for five or six years, they are beginning to realize that in an important and significant way, in their pocketbooks and in their bank accounts.

In looking at the result of the new pension scheme that was put in by the government, they're beginning to realize that even with pension—and pension becomes more important around here the longer you serve, because the longer you serve, the less opportunity you have to get out there into the bigger world to generate the kind of pension that many of us will probably need to maintain the standard of living and quality of life that we've become accustomed to, particularly the folks across the way. So it becomes a huge problem, because for five or six years you're not working for GM and you're not working for Chrysler, and the nice, big

pension plan that was rolling up and all the stock options and things like that that get put in place for you when you work in those kinds of private institutions are not there for you when you become a member of this Legislature.

So it becomes a problem, and so the chattering starts and the backroom discussion starts and the pressure starts on the cabinet and on the Premier. We know, because as we said a few minutes ago, this is the third attempt at this. The first time around, the backbenchers weren't successful. We're told that Ernie Eves, who was the finance minister at the time, said, "Boy, that's not going to sell. Besides, we have to wait until we balance the budget." They came along a second time and said, "Let's give another go at it," at that time to the great surprise of a lot of us here. I know I was back in my constituency when I read in the newspaper that the government was pondering an increase of some 43%. I was shocked, because that was not a number certainly that was floated around here before we left. So that got shot down in flames.

So here we are back a third time, because the government backbenchers are not going to let go of this. They've got the bit in their mouths and they're running with it and they're going to make this happen come hell or high water. It has to happen now, because there's only about two years left before they have to go before the electorate, and this is their chance. So they, through the ingenuity of the member for Bruce-Grey-Owen Sound, came up with a little bit of a side road here that they could take that would get them through this nicely, consistent with the way they've dealt with so many other political hot potatoes. So here we are. Who's driving it? It's the government members, particularly the government backbenchers.

Let's talk, then, after we've put that on the table, about what this is all about. It's about this government rewarding itself for doing such a wonderful job in the attack they have waged over the last five or six years on everything sacred and good in this province: the attack on the poor, the marginalized, the most vulnerable, the most at risk in our province. As a matter of fact, the first thing they did, as I said before, in keeping with their edict that the rich don't have enough and the poor have too much, was to announce in June 1995 that they were going to cut welfare rates by some 21.6%.

This is the way that they balanced their budget. This government balanced their budget on the backs of workers. This government balanced their budget on the backs of the poor in this province, the most vulnerable and the most marginalized, on the backs of the disabled, on the backs of government workers, and on the backs of the public institutions that have served this government so well over so many years. So what are they doing here in this place these few days as we push this bill through to allow the Integrity Commissioner to decide on how much money we should get by way of income? Well, they're rewarding themselves for that work.

What would I suggest? I'd suggest that if they really wanted to make it even a slight bit more palatable there are a couple of things they could do. We've already

spoken about them in our caucus here over the last couple of days. One of them, to make this even the slightest bit more palatable, is to raise minimum wage. Give some other folks out there the benefit of an increase in their income at the same time as you're giving yourselves and us that increase. It wouldn't cost you much. As a matter of fact, it would cost you hardly anything at all to do that.

Let me tell you something else you could do to make this a little bit more palatable. You could stop the clawback of the National Child Benefit Supplement to the poorest, most vulnerable and at-risk of our families out there. It averages between \$80 and \$100 per month per child to go to poor families to put food on the table, to pay the rent, to clothe their children and to allow them to participate in their communities. Stop the clawback. Again, it wouldn't cost you a penny, not a penny, because that money is coming from the federal government. So there are two things you could do.

A third thing you could do is sit down with me and talk to me about an act that I'm going to table in the very near future which will call for an increase in the income of everybody in Ontario dependent on the Ontario disability support program for their income and to tie that increase annually to the increase in the cost of living that happens every year. It's very simple. It's a little one-page bill. It wouldn't take long to get through the House here. I'm sure if you talk to the Liberals and you talk to us we would give you unanimous consent. We would give you unanimous consent to support this bill that would give immediate relief, year over year, the same as you're asking with this bill here for members of Parliament, that the Integrity Commissioner be allowed to increase our income now and from here on in every year, looking at the cost of living, etc. Do that for the disabled.

Take my bill, run with it and pass it. Bring in your own. Stop the clawback of the national child benefit supplement. Give poor working families out there some relief by increasing minimum wage. Thank you very much for your attention this afternoon.

The Deputy Speaker (Mr Michael A. Brown): Questions or comments?

Mr Gilchrist: I would say to the member opposite if he is suggesting—and it certainly sounded like he was—that we restore the gold-plated pension plan that would be illegal in any private sector workplace—and the only other place in Canada that has it is the federal Parliament—that's just not going to happen, sir. You got your payout, and the bottom line is that we are not going to go back down the road of outrageous pensions that no one else in this country could legally apply to themselves in any private workplace.

The bottom line here is this is all about process. I understand that you disagree with the idea of ratification of arm's-length authorization for any change in remuneration. I hope at some point you will put on the record that means that if anything were to occur as a result of that process, you will donate 100% of the money you get, because I'm sure you wouldn't want to be accused of the inevitable conflict that would occur.

The Deputy Speaker: Questions or comments?

Mr James J. Bradley (St Catharines): I want to first of all commend the member for Sault Ste Marie on his moderate, non-confrontational and non-pious approach to this issue this evening, because that is not the way the debate has gone entirely. I had to listen to his leader last night pontificating and poking fun at others in the Legislature, and I used words which were unparliamentary. I used the words "phony" and "hypocrite," which I withdrew at the insistence—the proper insistence, I must say—of the Speaker on that occasion.

The Deputy Speaker: You probably want to withdraw again.

Mr Bradley: I do. I would never, ever use that.

But no matter what process you choose, you're wrong. If you say, as Bob Rae did in 1988, that it should be somebody totally independent and that should be the end of it, then they say you're copping out. If you say the politicians should do it, then it's the politicians voting for themselves.

I think the commissioner is going to read what's in this Hansard. I don't believe that there is any justification for a huge increase for members of provincial Parliament. I happen to personally believe that what the greater public sector received is the same as what everybody else in government, including members of the Legislature, should receive.

1620

I'm not entirely happy by any means with this particular procedure, but when people are voting no, when people are portraying themselves—and the member for the Soo didn't do this, to his credit—as the heroes, the bastions against the pay raise, then I have to ask the question, "Then I assume you're not taking the pay raise?" because that would be consistent, that would be non-hypocritical, that would be non-phony. That's the question I ask. It's a tough question, I understand that, because there's good reason to oppose this legislation. But are you going to take it at the end of the day?

Mr Bisson: I enjoyed listening to the comments made by my good friend the member from Sault Ste Marie. One of the points I want to stress, which I think the member made quite well and tied together well, is that there's a whole bunch of people in society who have been doing without for a long time. I think we can all agree on that. There are people on minimum wage, there are people, as he pointed out, who are on the Ontario disability support program who have actually had their benefits reduced by 20% under the Mike Harris government. It's difficult for us as legislators to say, "It's OK to reduce people on disability by 20%," such as we did when we cut back the welfare benefits in 1996, through the Harris government, at the same time cutting down the benefits of those people on disability, if I remember correctly. It's difficult to see that happen and then for us to say that it's important for everybody else to tighten their belt, but somehow it's OK for us to give ourselves an increase.

Do members work hard? Of course we do. This is not about devaluing the work of members. Mike Harris did

that in 1995, prior to the election, when he attacked us on pensions and he attacked us as a bunch of overpaid and underworked people and made fun of politicians. That's not the point we're making as New Democrats. We value the work that elected members do in their constituencies as well as in this House. It's not devaluing the work, and it's not about us saying we're better than you. It has nothing to do with that.

What we are saying, however, is that it's important to take note; if you're going to do something that treats us extremely fairly, to a large degree I would argue, by way of a pay raise, I think we owe it to other people in society to try to do something for them and that we should lead by example.

I want to commend the member from Sault Ste Marie for his comments. I think he was bang on. I think he understands it well. As the critic responsible for poverty issues within our caucus, he deals on a daily basis with people who are doing with very little. From his perspective of saying, "It's difficult for me to accept this as a premise of an increase when those people have been doing without," I want to commend the member from Sault Ste Marie for making those comments.

Mr Wettlaufer: I think the member from Sault Ste Marie has misunderstood what this bill is all about. As I've mentioned before, it is about process. A couple of weeks ago the federal Liberal government voted themselves some rather substantial increases in addition to increasing their pensions to about \$95,000 a year after they retire.

What we are trying to do here is establish a rather transparent process. We cut our pension entirely in 1996, and now, with this bill, we think that a truly independent commissioner, in this case the Integrity Commissioner, should be the one determining MPPs' salaries and benefits.

The Deputy Speaker: The member for Sault Ste Marie has two minutes to respond.

Mr Martin: I just want to say a couple of things in wrapping up. First of all, to respond to the members from Kitchener and Scarborough when they talk about doing away with the so-called gold-plated pension plan, your members have been whining ever since about that. Twice you've tried to bring it back here, twice you got shot down, and now a third time you've found a way to do it that you won't be castigated for, and that's exactly what's going on here this afternoon.

In a budget a few years ago, the government said that if they ever balanced the budget in the province, then they would return to taking a look at increases in pay for members of the Legislature. Well, they have balanced the budget, but I think it's important to understand how they did that. They balanced the budget on the backs of the poor. They balanced the budget on the backs of workers. They balanced the budget on the back of government and those who deliver programs on behalf of government across this province. My own community lost, on average, between \$35 million and \$40 million a year in income to our community by way of the cutbacks, just as

an example, to the civil service across this province. That's why you're seeing the problems that you are today in delivering clean water and delivering health care in communities.

If this government was really serious about bringing balance to this whole question of income for people in this province, including ourselves, they would move, as I said earlier, to do a few things to give it even a modicum of acceptance, certainly in my mind anyway.

The first thing they could do is to increase the minimum wage for the working poor across the province. The second thing they could do, that wouldn't cost them a penny and they could do it tomorrow, is to stop the clawback of the national child tax benefit supplement. The third thing they could do is to move with me to introduce this bill that would amend the Ontario Disability Support Program Act to provide for regulations requiring annual cost-of-living adjustments to income support maintenance for the disabled.

The Deputy Speaker: Further debate?

Ms Frances Lankin (Beaches-East York): It hadn't been my intent to be here this afternoon and speak to this bill. A couple of our members are down in committee, however, who do want to speak, and so I've been pressed into service. I don't expect that I will take my full amount of time, but there are a few things, now that I have the opportunity, that I would like to put on the record. I oppose the government's bill, but I think my reasoning is slightly different from some of the others who oppose the bill who have spoken already to this. It is an opportunity for me to set out some of my thoughts.

Firstly, for years, long before I was an elected politician, I found it abhorrent when elected politicians set their own salaries. I think that is wrong. I disagree with it at a school board level, I disagree with it at a municipal level, at a provincial level and at a federal level. I don't think it is the right way to go. Quite frankly, there is never a good time for politicians, in an unbiased way—I don't know how you do it in an unbiased way; it is your own salary—to look at it and make a rational decision that is defensible to the public. There are always other issues that should be considered at the same time. I don't think it can be perceived that politicians can independently and fairly assess their own situation. For years I thought it should be done by an outside reference group of some sort.

Secondly, I would say if you're going to have it done by politicians, I'd be absolutely the worst person to have there, because I can always look to see other circumstances that other people face that would lead me to argue, "No, it is not a good time. No, you can't increase politicians' salaries." When I was a member of the Bob Rae cabinet, I voted for a decrease in my salary as a cabinet minister for two years in a row, and then for all MPPs in the Legislature in the third year. I was part of taking it in the neck by my own volition and argument, because I thought that was the right thing to do in the conditions in the province, when we were facing a recession, when we were looking at restraints and that we had to show leadership in that. And we had to start by

looking at our own salaries. I suspect, I say to my colleagues in all parties of the House, if you left it to me, we would be down to a salary that wouldn't be livable very quickly, because I really am moved by those comparisons. I feel a lot of guilt when I look at other circumstances in society around me.

For a lot of reasons, to me it doesn't make sense to have politicians voting on their own salaries. However, the bill that's before us gives me serious cause for concern. This bill simply refers this issue to the Integrity Commissioner. I've heard members opposite, some of the members just a few minutes ago, talking about this being a fair, impartial third party. It may be. But let me put some points on the record. First of all, the Integrity Commissioner is an officer of this Legislative Assembly. He reports to this Legislative Assembly, is responsible to us and relies on us to determine in fact the salary, the budget, the office of that—

Interjection.

1630

Ms Lankin: I'm being told I'm wrong on that point. If I am, my apologies there. I believe that the individual or group that should be reviewing this should be a commission of remuneration, not an individual person who does not have an expertise or capacity in reviewing appropriate wage comparisons to arrive at this determination.

I spent a lot of years as a negotiator. People in this Legislative Assembly know that. I've spoken to issues of arbitration settlements and salary arbitrations before. I can tell you that the in-house capacity to do an appropriate compensation review does not exist in the office of the commissioner. There is nothing in this bill that suggests that that capacity will be built, nor is it appropriately placed, in the office of the Integrity Commissioner. I believe there should be an independent commission of remuneration; that is the appropriate body, with the appropriate resources, to make these determinations.

But the more significant point that I would like to make to the members opposite is that I have stood on a number of occasions in this Legislative Assembly and have spoken about successive pieces of legislation that you have brought into this House that put restrictions on arbitrators and their decision-making ability with respect to public sector interest arbitration. I can talk about back-to-work legislation in the education sector, I can talk about general public sector arbitration legislation and, most recently, legislation that has been brought forward that is dealing with paramedics in the province. I ask the members opposite, on the basis of fairness and equity, how can you put forward here a piece of legislation that refers our salaries to one whom you are calling an independent and fair arbiter, with no conditions on the decision-making ability of that individual?

In every other circumstance in the public sector where there is no right to strike and where there is a referral to a third party for an arbitration determination of salaries, you have placed fettering provisions on the decision-making power of those arbitrators. You have said in legislation, for example, that they have to consider the

employer's ability to pay. You have said that they have to take a look at comparisons of what other people in the same public sector are receiving. You have said that if the arbitrator gives any award that increases salaries on average at all in that sector, they must provide written reasons regarding how that public sector employer is going to be able to pay for it and what impact it will have on that public sector employer's budget and budget allocations.

I'm having trouble getting the attention of the members opposite. I really would like your answer on this. This is the thing that gives me the most problem about your bill. I don't understand, from an honest perspective of fairness and equity, why we continuously pass legislation that restricts the ability of arbitrators to make fair and independent decisions with respect to a whole range of public sector workers out there, and yet we refer our own salaries without conditions.

I would like to suggest to you that we take the language that has been written into all those other bills: the need to consider ability to pay; the need to give written reasons why if there is an increase in salary, and a written determination of where in the budget it comes from and what other areas of the employer's operations it will affect; the need to consider other public sector entities in the same area. In this case, what kind of increases is the government contemplating for broader public sector employees like nurses and paramedics and others? What kind of increases are they considering for their own direct employees in the Ontario public service? It should be mandated in the law that this fair, independent, third-party arbitrator that they're referring us to absolutely must consider those items.

In some ways, I am speaking to a point that would defeat all the points that I've made in the past in this House, because I think that public sector arbitration should be fair, impartial, independent and unfettered. I think the government's restrictions in those other sectors are completely unfair. I think they're draconian measures on the part of the government of the day. But what I find very difficult to take is the lack of equity and fairness; that in a referral of our own salaries, we would not place the same kind of restrictions on the arbiter that we're sending that question to. There is something basically wrong about that, and I think we should all come to terms with it.

I don't want to engage in a debate about how high our salaries should be. I've given you my reasons why I think I'm not an unbiased observer on that point. I think many other members in this House would feel equally comfortable that it is not an issue to be debated here. I know there are others who have spoken to this bill who have made the point that they think it is a responsibility of elected politicians to take a position on that, and I respectfully disagree with them. I think it is better when it's taken out of the world of politics and when there is a process for looking at it. But surely it must be bound by something.

If we as a Legislative Assembly are prepared to pass legislation—and we've done it many, many times—that

binds other arbitrators of public sector salaries and places conditions on the measures they may take, on the things they absolutely must consider and on the types of decisions they must render in the end, then on the basis of fairness, there's got to be a parallel that all reasonable members in this House can see. I don't know whether the government members opposite would entertain such an amendment. Perhaps, if I can get their attention again, I could ask them whether an amendment like that would be welcomed by the government.

I know that in the many times I've stood in this House and spoken about the need for a fair and unbiased arbitration process, despite my pleas, despite my protestations that the legislation they passed does not provide a fair and unbiased arbitration process, they have stood and claimed that it does. They believe the rules they've put in place are reasonable and fair. If that's the case, then shouldn't those same rules be put in place with respect to our salaries? It's a pretty simple point that I'm trying to make here, but it's a point on which I'm not seeming to get any response from the members opposite, so maybe I need to continue to make the point in hopes that someone over there is listening and will give me an indication of whether an amendment like this would be accepted.

I think that one of the problems we've run into with debate of this sort in past years and here currently is the kind of, I don't know, elevated sense of rhetoric that some members get into, and I think it's problematic. I heard a member opposite heckling when the member for Sault Ste Marie was speaking, and I think some of his comments were really inappropriate. The member for Sault Ste Marie has some very strongly held and well-known views on the issue of poverty, on the campaign he is waging to stop the clawback from the poorest of our citizens. I think those are legitimate points to put on the table in comparison to a piece of legislation that has no fettering restrictions on it at all. For the member opposite to heckle in the way he did, and to attempt to suggest—I can't use the words, because they're unparliamentary, and he should have withdrawn them—that the test of whether you truly believe the remarks in this Legislature is what you do down the road when a salary is imposed by this commissioner—I think, in his official response on the record, he said the test was that you give 100% of it to a charity.

I'm sorry: the very reason politicians shouldn't be given the right to set their own salaries is the nature of the debate we get into in this place, which strays off issues and gets into personal attacks. I hope that at the end of the day we're able to avoid that. I guess that is one of the reasons why, even though I think this bill has flaws, I think the concept of referring it out of this place to a third party to determine is, in the end, the right way to go.

But the government cannot escape the circumstances it finds itself in right now, a time when the Premier of the province has told nurses that they shouldn't expect a big increase; when the finance minister has told Ontario nurses, when they've looked at the increase nurses in Alberta got, "If you want to go to Alberta, so be it"; in

the context of telling paramedics in this province that their process of negotiation and their right to strike and their referral of salary disputes to arbitration is going to be fettered by these new rules that the Tory government is imposing on arbitration, unfair rules that will not allow them to arrive at an arbitrated contract that is a fair reflection of what takes place in free-market collective bargaining.

1640

In that context, this particular bill and this referral to an officer of the Legislative Assembly falls short of the standards of integrity that I would hope we, as members, would want to see in the way in which we handle this issue in the context of the politics of the province.

So I have a problem with the bill. I'm concerned that constituents will not understand a government that can make such restrictive laws for other public sector workers and yet deal with MPPs differently, that differential treatment of politicians from the rest of the world in the public sector, from the people who are out there delivering the programs and services that we in the New Democratic Party, I know, believe in very strongly, and I'm sure there are other members in the Legislature who would speak to that as well. They don't see that there are reasons for us to be treated differently or specially, and I agree with them on that.

I'm going to wrap up my comments now. I see others have returned from committee. I will indicate that I will be voting against this bill. I think the government actually has an opportunity to improve the bill on the basis of equity and fairness if they were to be consistent in terms of criteria for decision-making on arbitrators and were prepared to say that we should live by the same rules they've put in place for paramedics and for nurses and hospital workers and nursing home workers and education workers and teachers. Then perhaps we could see that there was some justice in the route that we are going.

So for different reasons than others, I find myself in opposition to the bill. I hope that perhaps, after having spoken, the government members might actually give consideration to moving amendments of that sort or to working with me to bring that kind of amendment forward.

The Deputy Speaker: Questions or comments?

Mr Gilchrist: I appreciate the thoughtful comments by our colleague opposite. She has raised a couple of interesting and new points.

I would say to her, though, that I don't think the question has ever been raised before in any other context about the ability or lack thereof of the Integrity Commissioner to contract out for the appropriate expertise to undertake any review that he or she would be required to undertake, consistent with their duties under the legislation. I would imagine that this would just be one more case, and whatever expertise that he—currently he—requires to arrive at an informed conclusion I would assume his budget could assimilate.

You talked as well about ability to pay as a standard under arbitration. I think you'll recall back to 1996,

where we said, "We'll take a pay cut here," and we all voted for that bill. Then we said, on the flip side, that when there was the ability for the province to pay the MPPs even the salary they were making back then—namely a balanced budget, a surplus, a greater increase in revenue than increase in cost—then and only then would this government, and, I would remind you, both opposition parties at the time consider the issue of a change in remuneration in any form. That's precisely what we're doing here today.

Mr Bradley: Again, a very thoughtful and reasoned speech on the issue, but it's a contrast to what I hear in the public media or the characterization of other members of the Legislature.

I appreciate the reasoning the member has brought forward on this issue. She mentions an independent commission. The interesting thing about independent commissions, in my experience, whether it be local government or provincial government, is that invariably, when given the task, they recommend something higher than the elected representatives would ever recommend for themselves. That's pretty consistently happening, and very often—on some occasions not so, quite obviously, but very often—the members who are affected by it refuse to increase it. That is when the members have the ultimate choice.

I agree with my leader, Dalton McGuinty, who suggested that the appropriate increase, if there is to be one, would be 2% to 3%, which the greater public service has recommended. The commissioner no doubt, as I say, reads the Hansard and will recognize that for those who are at present members of this Legislature, a raise in that category would be acceptable. I like the idea of the same restrictions that are on arbitration for others being applied to members of the Ontario Legislature.

I'm wondering, if the minimum wage were increased, if other public payments were increased, if the procedure were changed and if at the end of the day it were constitutional, whether those who vote against this are going to refuse to accept it. If the process is flawed, if it's wrong to raise the pay of members of the Legislature, the final question is, if you vote against it, are you going to take it?

Mr Bisson: I want to thank my colleague for her comments on this issue. What I'd like to ask and comment on is the point she makes in regard to what's happening out there when it comes to people and their ability to bargain successfully a pay increase with their employers, either in the private or the public sector.

One of the things that bothers me to an extent is that, as she does and as every other member of this assembly has done, men and women who work, in both the private sector and the public sector, who are out there in our communities, who work hard, who give a lot to their employers, who are doing work as hard as we do here in the Legislature, every three or four years in some cases go off to try to negotiate an agreement with their employer and are being told, in the case of public employees, "You've got to tighten your belt. There's not a lot of

money to be given out. We need to keep an eye on the deficit and make sure that we don't spend more than we've got."

Because of those reasons, people in the public sector and the broader public sector have been asked to keep, have been told to keep and in some cases have been legislated to keep those demands of salary at or below the rate of inflation, and in many cases have gone the other way and have actually taken decreases.

For people who work in the private sector, I know as you all do as members of this assembly who have people who have had to go out and bargain in the private sector, you're not seeing huge increases from the private sector being awarded to employees when they try to negotiate their collective agreements. Again, they're at or close to the rate of inflation.

I look at that and it's kind of difficult for me to go back to our constituents and say, "We deserve 30%, 40%, 50%, 60%, whatever it might be, but you deserve less." It's a bit of a problem.

I agree that what we do here is important as work and it's valued. It's not an attack on other members of this assembly, but just on the point, what's good for the goose should be good for the gander.

Mr Wettlaufer: All the talk in this place today about raises and the amount of raises is rather disturbing to me. I don't think we should be talking about raises; I think we should be talking about process. I'm quite concerned that the process be emphasized over and over, because I recall a couple of weeks ago, when the feds brought through their monumental increase, I spoke with a number of my constituents at that time and they thought that we were getting the increase too.

I said, "No, what one of the private members has done here"—Mr Murdoch, if you will recall, Speaker—"was that he introduced a private member's bill, which is now a government bill, to dictate that our raises or our salaries or our benefits should all be set by an independent third party, that being the Integrity Commissioner." Really, that's what the people want to hear. The people think that's a fair process. That avoids any conflict of interest.

Ms Lankin: All the time I was talking I was trying to get the attention of the member from Kitchener, and I guess I failed, because all I talked about, really, was the process. The point I'm trying to make is that an independent and fair process is what I think all Ontario working people who do not have a right-to-strike situation deserve.

What I said is that every arbitration bill you've brought forward, you've changed the rules, you've tightened it up, you've placed restrictions. But on this one, which is an arbitration bill—you're sending it off to a third party, an independent arbitrator—you've not put the same restrictions in place. So I'm saying from a basis of fairness and equity I don't think this bill meets a test of fairness and equity.

1650

The member for Scarborough East: on ability to pay, you're saying that's what this government is doing. Well,

I'm sorry, I do remember back, and I made the point that when I was in cabinet and we were going through a difficult recession, we cut cabinet salaries twice and we cut all MPPs' salaries. Obviously, we also considered that. But do you know what? You've written it in, plus many other restrictions, to legislation for other public sector workers, and you've not done the same for ourselves. I think that's a problem.

I appreciate the point you make about the ability to contract out. It's not the biggest point that I make, but I think the Integrity Commissioner is the wrong commissioner to send it to. But as I said, I agree with the principle that it should go to an independent third party.

I say to the member for St Catharines that an independent commission of remuneration process does exist—for example, in Nova Scotia—with the same legislative provision that whatever is arrived at is imposed and doesn't come back to be voted on. So there are ways around the problem you raised.

I do think we should try to get this out of the partisan arena. I say to the member for St Catharines that the shot you took at the end at members here is just as partisan as what some people who have spoken on this were doing. I think we don't have room for that.

The Deputy Speaker: Further debate?

Mr Peter Kormos (Niagara Centre): I've been looking forward to my turn in this debate, and I'm pleased to be here with my colleagues in this—this is a small caucus. We know it. We understand that.

Let me open by making a reference to something that virtually every other commentator on this has referenced, and that is that a whole lot of people here work hard. I understand that as well. Let me tell you that when you're in a caucus of nine, I suspect that maybe—I'm not wanting to play a game, saying who works harder—you work even a little harder. I have no hesitation in putting that to you.

You heard me say yesterday that I have grave concerns about the delegation of this authority. I disagree, quite frankly, with those who would advocate an absolute delegation of the power to set salaries. It's quite right: politicians have the power and responsibility to set their own salaries. I think that's a power that has to be exercised judiciously, cautiously and in a way that's cognizant of all the factors.

I have concerns about the delegation of power to set MPPs' salaries because, as I questioned yesterday, what's next? Politicians also have the power to set taxes, and they have the power to reduce taxes. We've seen that happen here. Quite frankly, the reduction of taxes by the Harris government begins to kick in most at the upper levels of income, and MPPs are among those who started to get more of the benefits of those tax cuts than our constituents who are making \$15,000, \$20,000, \$25,000, \$30,000 or \$35,000 a year. I understand that.

But that didn't stop MPPs from debating that issue and New Democrats from opposing those tax cuts for the more prosperous and certainly the very wealthiest people in this province. People across the way talk about having

balanced the books, and I heard my colleague from Hamilton West mumble, "Yeah, on whose backs?" You balanced the budget all right. You balanced the budget on the backs of the poorest people in this province. Cutting welfare rates, slashing them by about 22%, sure helped you balance the budget. Keeping disability pensions at the same miserable level they are, at that sub-poverty level for over six years, helped you balance the budget.

You heard the member for Hamilton West yesterday point out to a group of his constituents, just like constituents from my riding and the ridings of every member in this Legislature, that they haven't had their comfort allowance increased from a meagre \$112 a month for how many years now?

I'm amazed at how quickly this particular bill is receiving passage through this Legislature. I'm amazed at the focus of, I suppose, political will to see this happen lickety-split, to see this happen with the most modest level of debate. Quite frankly, it has only been New Democrats who have been standing up taking their spots in this Legislature speaking out on this bill, and I'm proud of my colleagues who have spoken out here in the New Democratic Party caucus.

The comment was made about some external source providing a reference point. You see, that's exactly what happened, because last year an independent commission came back with salary recommendations that were 30%-plus, as I recall, and members of the assembly in the opposition said, "No. We know what the recommendation is, but no." They said no. Political decision-making by elected representatives in opposition caucuses caused them to say, "No, that's not acceptable; it's not appropriate."

What happens here with this absolute delegation is, it's, "Oh, gosh golly. Oh, really? Oh, 30%, 40%?" I have no idea what. I know what the benchmarks are, just like every other member of this assembly does. The benchmark is very much the federal MP's salary. I suggest to you it would be a rare day when members of this assembly would feel comfortable, would feel responsible, would feel judicious giving themselves raises so that their salaries would equal that of federal members.

Having said that, do MPPs work as hard as federal members? I read it in a number of places over the course of the last week and a half as this bill has been here in this Legislature. There has been a substantial amount of even editorial commentary acknowledging the fact that MPPs may well work even harder than their federal counterparts because we're dealing with those day-to-day issues. We're dealing with health, we're dealing with social services, we're dealing with those nitty-gritty sorts of things that people tend to come to our offices for, rather than the federal member's. I acknowledge that. I know it. My staff know it. My staff down in the constituent office in Welland, serving Niagara Centre, and the one staff person up here in Queen's Park, know that full well. But please, there's a whole lot of other folks out there who work really hard too. Let's understand that.

I don't care whether you talk to auto workers, whether you talk to people in the health care professions, talk to

nurses, talk to the folks who work in our seniors' homes down in Niagara, places like Rapelje Lodge and Sunset Haven in Linwood and so on. Talk about working hard—the nurses, the RPNs, the support staff and the kitchen staff are increasingly understaffed and doing hard, hard work. Ms Lankin was up in Ottawa spending a shift doing that kind of work. She can tell you about it from a very first-hand experience.

I am very concerned about the eagerness with which members of this Legislature are to see this bill accelerated in its passage when, at the same time, one would search for some support for, let's say, an examination of minimum wage. One can find nothing akin to any similar enthusiasm. Where's the enthusiasm? Please tell us, where's the same gusto about getting some increases to minimum wage passed through this chamber? Because it could be done just as fast. It could be done just as quickly.

But no, we don't see any government bills advocating increases in the minimum wage, not by a long shot. We see government bills advocating 60-hour workweeks, we see government bills reducing workers' health and safety, and now time allocation on Bill 57, the omnibus bill that this government has accelerated through this Legislature that attacks working women and men. But no, do we see an interest in increasing disability pensions, increasing social assistance rates? Please, talk to some of these folks.

1700

Do you know what? Talk to the 55-year-old seniors, many of them single women on so-called workfare. Sorry, many of these people suffer serious illnesses. Some don't quite make it into the ODSP system. They are lined up—I suppose they're going to be lined up now for literacy testing and urine testing. This government has that incredible obsession: this government will test urine, but it won't test water. Think about it. The government is obsessed with testing people's urine, but it refuses to test the water, as a result of which seven people died in Walkerton, and how many others were left sick?

This government wants to test social assistance recipients for—please, I've been around the block a couple of times. There was a social assistance system in this province at one time that had sufficient workers in it, who worked one on one with the clientele and steered the clientele into adult re-education programs, steered them into various community things that would help them develop as human beings and help them get out of incredibly imprisoning situations. Long before this government ever talked about workfare, there were case-workers—that's what they used to be called, case-workers. There used to be social workers with any number of skills and any number of backgrounds who would work with those people on social assistance, work with the single mom to help her find daycare. That's a whole 20-minute, if not two-hour, address in itself.

These people are going to be tested for literacy, when the government hasn't suggested any program whatsoever that it can access for these people. The public school

system is being gutted. Where are these people going to go to get their literacy training? Adult re-education has been cut, kiboshed. It has been deep-sixed. This government acts like it's inventing something new. Treatment for drug and alcohol problems? There are lineups blocks long, around the block, at our treatment centres here in the province, every single one of them. The ones down in Niagara and northern Ontario—heck, you can't find them. You can't access them.

So you see, I have a suspicion about this government's plan for the poorest people in Ontario and some of the most troubled people and some of the most disabled people, that this exercise is all about screening more people off the system, that's all. It's nothing to do with improving literacy rates. Please. It's nothing to do with the meaningful effort to tackle drug and alcohol problems. Please. Quite aside from the fact that drug and alcohol problems are going to be as prevalent in any other social class, economic class, group of people in our provincial community—and quite frankly, according to the statistics and the relationships of some of those problems to certain professions, even more prevalent in groups of people other than those groups of people on welfare. That's true. It's the case. Take a look at the sort of research that has been done. There are certain classes of people who have a greater exposure to these types of things and have a greater risk of getting caught up in it. We know that.

As a caucus, we knew that our position was going to be—the only response that those supporting the bill have for New Democrats is, "Oh, are you going to take the money?" That suggests a couple of things: one, it suggests—and I appreciate that some people have been saying, "Oh, we'll submit that a 2% or 3% increase would be appropriate." But the, "Oh, are you going to take the money?" suggests that folks here know it's not going to be anything akin to 2% to 3%. Think about it.

I'll put this to you: I don't expect any of my colleagues in this caucus to earn a penny less than a Tory backbencher—I don't—from the basis, quite frankly, of simple fairness. I wouldn't suggest or expect them to earn less money now or to receive a smaller paycheque than any Tory backbencher, nor would I in the future. But I as a member of this Legislature, as a New Democrat, feel that it is our responsibility as legislators to accept that obligation, yes, to set our own salaries.

You'll recall the last round—42%, 32%—but oh, when suggestions were put to the government House leader, "Hey, Mr House leader, what about 2%?" the government was, "We're not even going to bother drafting a bill for 2%." That was the response. I've got some problems. If a salary increase is too high for people to vote for it, maybe it's just too high.

The government wants an independent commissioner. Heck, I suppose that's one model. What about a panel of citizens—a senior citizen, a single woman or man living on their pension and maybe even a little bit of a factory pension, you know, from the old Inco or Union Carbide or up north any number of mines. What seemed like big

bucks 25 years ago—we're talking about folks who maybe saved up \$25,000 or \$30,000 in their lifetime and thought this was a pile of dough. Now in the year 2001, sorry, the 4.5% return a year income on that money doesn't go very far. These people thought they were doing quite well in their day. So why not a senior citizen? Why not a person on ODSP? Why not a worker in any one of those—especially in the service industry. Heck, jobs are just a-booming down in Niagara Falls. You want a job? Go down to Niagara Falls and get yourself a job, minimum wage, part-time, temporary because it's seasonal.

Ms Martel: No benefits, no pensions.

Mr Kormos: No pensions, no benefits, nada, zip. So let's get a person on minimum wage who works real hard. Let's get some of the people I know who work as chamber persons in the hotel industry in Niagara Falls. A lot of new Canadians do that work. Their English isn't quite as good as other people's. Quite frankly, there have been a whole lot of doctors, architects, engineers, veterinarians doing that work too because of the barriers to foreign-trained professionals.

So we've got a person on a disability pension, a senior citizen and a minimum wage worker. Let's pick somebody from the higher-wage-sector industrial area. Let's pick a hardrock miner or a GM worker or a Chrysler or a Ford worker, because among other things, I've had the pleasure, a unique pleasure, of spending a shift in Oakville. The local 707 CAW sisters and brothers took me right out on the floor with them for eight hours on their assembly line.

Mr Bisson: They work hard.

Mr Kormos: I'll tell you my friends, those folks work hard too. They're among the higher wage sector; we'll throw one of them on the panel.

Why not a university student, especially a university student from a less than very affluent family? Throw a university student on that committee.

Barring that, why doesn't this bill go out to committee? Why isn't there wide-based exposure? I believe we undergo far more scrutiny by our constituents across the province than do our federal counterparts. The fact is there are simply fewer of us. The fact is that for most of us, we're speaking in the House more often than any federal member ever gets to speak in the House. The fact is we're identified with issues because our participation in question period as opposition members tends to be more pointed, more focused than what federal members get. People know what we do in our constituencies. I'm prepared to go to the public if this government really wants to carry on with this bill.

But at the end of the day be very careful, my friends, because the delegation of this power—saying we're the only people in all of Ontario who get to set our own wages. We're also the only people in all of Ontario who get to set taxes. We're the only people in all of Ontario who get to approve legislation or express our disapproval of it. Yes, we are in a very unique position and when we start shying away from it, when we start saying, "Oh

gosh and by golly, I don't want to incur the wrath of making my position very clear about what it is I think I should get by way of a salary increase," well, heck, why don't we do it with taxes, refer it to Andersen Consulting? If there was a bill delegating the power to Andersen, "Sorry, guys." They pull another big whack of taxes out of the tax obligation of the wealthy and then you tell the educators, "Oops. Sorry, guys, there's no more money. There was less money, but now there's no more. But don't blame us, because we passed a bill delegating that power to Andersen"—wouldn't that be a slick world? It is a very dangerous precedent that's being set. I acknowledge that it may well be done in other jurisdictions, but I say it is an incredibly dangerous precedent.

1710

I mentioned to you that in the United States there's a non-delegation principle that prevails at the congressional Senate level. That non-delegation principle is not a part of our constitutional law. It appears, as I indicated, based on my research, that yes, the Legislature has the power to delegate this way, subject to anything else I may discover in research. But the Legislature has avoided doing that for so many years around so many issues for the obvious reasons. We have seen enough abdication of responsibility, quite frankly, by cabinet ministers who don't want to accept responsibility during question period for things that happened in their ministries which impact in a very negative and serious way on our constituents.

So I say to you, let's be very cautious. I will not be supporting this legislation, neither on second reading nor on third.

Mr Gilchrist: Unlike his colleague, the previous speaker, I can't agree with very much that Mr Kormos has put on the record as part of his justification for opposing this bill, whether it is his former colleague and ex-Premier's very clear support of this concept back in 1988 or whether it is the fact that in 1996, if my memory serves me correctly, he personally voted in support of the bill that said it would go arm's length via the Speaker and that we would have that arm's-length process. I guess at the time maybe he didn't give enough thought to what the outcome might have been to that process.

I don't recall, in the debates, anyone in that party saying, "I'm voting for this conditional on it being 5% or 10% or a decrease." I'm a little troubled by the fact that when the Speaker then did follow the law, they decided to take a different direction.

The bottom line in this is, it is all about maintaining the integrity of a system where the MPPs would not be the people setting their own pay. It would avoid that obvious conflict.

When I hear from some of his colleagues, and even his own suggestion, that somehow the problem in all this isn't so much that there would be somebody recommending a specific salary but that we then wouldn't have the chance to vote on the final judgment of that consultant, or in this case the Integrity Commissioner, how is that any different than just picking a number and setting the pay

ourselves? At the end of the day, what you are espousing would be the same conflict of interest. Whether it came from Deloitte and Touche or whether it came from the Integrity Commissioner, a recommendation brought back here that you then had the power to decide if it was right or wrong is just as biased, has just the same conflict of interest, as if you picked the number in the first place. That's why we want a process that's completely arm's-length.

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): I, as a relative newcomer here, have struggled with the politics of this place, and I've argued both here and in my riding that we need, where possible, to find new ways to do politics.

That having been said, I want to note that I agree with many of the comments that have been made. Like many members, judging from the attendance here and previously when this bill was discussed, I resent, frankly, spending very much time at all on this.

We have, on good days, a relationship of trust in motive with the people who send us here. I think we heap cynicism and distrust on that when it appears, as one of these speakers to my left said earlier, that we are trying to direct things. Being very frank, I think it is unseemly, inappropriate and, as one former member of the House stated, invidious to be dealing with this in such an obvious conflict way. I agree with many who have said that we should be spending our time dealing with other real issues, minimum wage or whatever. I'd like very much to get on to some of those, although that's difficult sometimes given the priorities of this government.

I'm very concerned too with this reference to the criteria. I think when one insists on setting the criteria for a so-called independent review, you really steer the outcome.

I just want to make the observation about two problems with recent events. The previous so-called independent review that was commissioned provincially made reference to moving to parity with the feds. That obviously wasn't independent. I think at the federal level, when the so-called independent review came in, some of the recommendations around pensions and retroactivity were ignored.

Mr Martin: The member from Niagara who just spoke mentioned that the balanced budget this government crows about here so regularly now that gives them the right to bring this piece of legislation forward was done on the backs of those who are most put upon in our society: the poor and the most vulnerable. Let me give you a short list of some of the things they've done in the five or six years they've been in power to do that.

In October 1995, they cut welfare rates by 21.6%. In 1999, sole-support parents moved from family benefits to Ontario Works and were required to do job searches and other workfare requirements. In 1995, the government changed the definition of "spouse" in welfare law. This was part of "define poverty out of existence." The government abolished pregnancy allowances of \$37 per month. This was called the mother's milk allowance. The

government cut daycare subsidies while requiring single parents to participate in workfare, including job searches and community placements. Adults on welfare can't live with parents and receive shelter allowance. If welfare decides you are not financially independent, an adult will receive no benefit, although eligible children will receive a small benefit. If welfare finds an adult financially independent, they may receive a basic border allowance of \$50.

The government fails to keep another promise made in 1995, that welfare recipients could earn back the 21.6% cut in welfare through earnings on the STEP deduction. Further, they've cut back the amount of employment earnings that you can keep on STEP. The variable exemption is reduced from 25% to 15% after 12 months.

The list goes on. Cut off welfare for three months for the first failure to meet welfare requirements. Cut off welfare to people who are found to be convicted of welfare fraud. What they mean by that is that if your parents give you a little bit of food on the weekend to carry you over, you could be convicted of welfare fraud and lose your allowance. That's what this balanced budget is based on.

Mr Wettlaufer: The member for Niagara Centre certainly espouses some of what he spoke about but, as usual, he and I don't agree politically. It's not a surprise.

Like my friend from Ancaster-Dundas-Flamborough-Aldershot, I feel like we shouldn't even be here discussing this. This is a bill that we should be sending our pays and benefits off to an independent third party to rule on, and that's the way it should be. There shouldn't even be any discussion.

The Deputy Speaker: The member for Niagara Centre has two minutes to respond.

Mr Kormos: This is the last that I'll be able to speak to this bill until of course third reading.

Interjection: Unless there's time allocation.

Mr Kormos: I don't expect that the government would time-allocate this. After all, it's only the New Democrats speaking to it and there are only nine of us. The nine of us are in here working hard and out there working hard. I tell you that we have taken a position that's at odds with the other parties here. Once again we've taken a position at odds, but I'm telling you that there is a strong feeling. I'm worried about the wink, wink, nudge, nudge part of, "Oh well, we'll refer it out. It'll be independent." See, you've got a smile over there. That's right: wink, wink, nudge, nudge. I'm worried about that and I'm worried about the abdication of that responsibility.

Yes, I say it once again. We have the power to set our own salaries just like we have, as a Legislature and as parliamentarians, the power to set taxes or to eliminate taxes or to create new ones. We've got the power to decide policy around education, the power to decide policy around health care. This government in the chamber, in theory, as a whole has the power to determine budgets: how much money is going to be spent where. We vote on a budget. Do New Democrats support the Tories' budget

bill? Of course not. It's Bill 45. It's the one that gives public funds to private schools. There legislators have the power—and every indication is that the government is going to exercise that power as the government and as the individuals within that government—to decide that public dollars are deflected out of public education and into private schools.

1720

Nobody is suggesting that those powers and responsibilities be abdicated. I'm suggesting it makes this bill rather unique. I'm also suggesting it's remarkable that this bill is proceeding through this Legislature with such incredible, unprecedented speed.

The Deputy Speaker: Further debate?

Mr David Christopherson (Hamilton West): Let me begin with why we're here, why we're dealing with this. I want to refer to Hansard. The minister responsible for carriage of this bill, the Honourable David Tsubouchi, Chair of Management Board, went out of his way to say in his opening remarks, brief as they were, "I would like to remind the House that in 1996 our government ... got rid of the gold-plated pension plan." As has been pointed out by my colleagues, the fact of the matter is that the government members, particularly the backbenchers but even cabinet ministers, have been whining about that decision ever since.

Interjections.

Mr Christopherson: Now, look, that's the absolute truth. Earlier on, somebody was saying, "Name names." Call that out and I will start naming names, because there have been discussions and you know it. I'm not about to do that, but I am setting the stage as to why we're here.

The fact of the matter is that the government recognized they got absolutely no political credit whatsoever for eliminating the pensions. I believe a lot of them wish they had modified it, the way the federal government did, so it wasn't quite so rich. But they do note that we all of us, at one time or another, still have constituents say, "Yes, but if I had your pension plan." There's total confusion between the federal and the provincial, and I'm just pointing out that at the end of the day you realize that while it looked like a good political move on paper, it didn't really achieve what you wanted and has hurt a number of people who otherwise would have had some security in the future. On this one I want to end by saying I was in this House. I served with a member who had to deal with the reality of leaving here and not being able to pick up his life, and he ended it. Now, that's the extreme, but that happened.

The other thing is, of course, the government says there are larger ridings; therefore there's more work. Fair enough. But you made them larger. That was your doing. I've got to tell you, I still think that at the end of the day you haven't served democracy well by having done that, because given the issues we deal with day to day and the quality of life issues we deal with at this level of government, constituents are best served when we have a manageable riding, where we know that riding inside out and there is a community of interest between the varying parts of our ridings. That doesn't exist now.

Lastly, when the federal government went ahead with their increase, that was it for some folks. All of us were pretty upset, but some folks, particularly on the government benches, were apoplectic about it because they just couldn't get over what Liberal backbenchers are getting versus them, recognizing that on a day-to-day basis, MPPs, I believe, have more responsibility and more interaction with their constituents and, therefore, one could argue, have a heavier workload.

Having said all that, like all the members of this House, I've thought long and hard about what my vote would be and what I would do on the crucial question of, "Yes, but will you take it or not?" In that regard, let me just say there are a number of things my leader said yesterday that I agree with wholeheartedly, and enough so that I cast my precious vote against, simply because if someone asked me, "If you had your druthers, would you prefer this was dealt with affecting the next Parliament or just not dealt with at all, given the agenda of this government?" my answer to that question would be, "Yes, I would prefer that we waited, that this not take effect now and that in this climate—our House leader has mentioned all the reasons why one feels uncomfortable talking about an increase, recognizing that an adjustment, in my opinion, is warranted, but not now.

I'm not going to give government members an opportunity to say, in or out of context, "Yes, but you wanted it. You voted for it. You supported this initiative." I would rather deal with the issue of the possibility of looking like you want it both ways. That's a fair criticism and that's coming across the floor, and every one of us who voted no and has indicated that "Whatever Judge Evans decides, we're going to live with, we're going to accept," has to live with it. But I would rather live with that than the other way. I say to all members, for the government backbencher who's doing all the laughing and scoffing over there, that if he added his vote to ours and we got enough of us, this wouldn't be in front of us. That, to me, is that appropriate thing, that it ought not even be here.

My leader pointed out the minimum wage issue. It's in the Hansard, page 1591. He pointed out that "After six years in power, we're still at \$6.85." That's a real issue. It ought to bother all of us that there's a potential increase in our wages and for people who earn the minimum wage, the lowest you can possibly pay someone, they haven't had an increase and they didn't see one penny benefit of the economic boom that, quite frankly, an awful lot of other people have enjoyed. That's the same government that, let's not forget, in 1995, a few weeks after you took power, attacked the poorest of the poor, cut back social assistance by 22%, knowing that if you ever said to any other group in society, "We're going to cut your pay by 22%," you'd still be hearing the howling, a very legitimate reason for us to say—although it's said all the time—this really is not appropriate in this milieu.

On page 1589, my leader talked about the fact that, "We need to have a debate here," and our House leader referred to that too, and we should. One of the things that

upsets people the most is when it looks like and/or is a fact that we're trying to rush things through, hoodwink them, move it so fast that they can't catch up. Believe me, I think we are doing this issue a lot of good and that we are doing a proper service in the NDP by forcing this debate, by at least having it long enough that people can absorb what's happening and afford people who want it the opportunity to stand up, state their case and then live by what they say and do. That's important. It's important for us to message that a democracy doesn't have to be made up of people who look like they're trying to hoodwink the public. If we honestly believe that—and we do in this caucus—then take the time to talk about it and let people see what's going on and put some real transparency in the process.

My leader and other caucus members, particularly my friend from Sault Ste Marie, talked about the clawback of \$80 to \$100, money the federal government gives to the poorest of the poor for their children, a special acknowledgement that they need more assistance than they're getting, and you claw it back. That is unconscionable. Yet here we are, dealing with our wages.

Lastly—well, a couple of things: 2% is usually about the amount that has been negotiated for the public sector. Again, my leader pointed out that had you implemented the 2% for just the last three years, our wages would be up around \$85,000, which would start to move us toward that adjustment that I think everyone realizes at some point needs to take place. Why couldn't you have done that? In fact, had you done that from the beginning we'd even be closer, so the gap wouldn't be as big as it is.

Those are valid reasons for this caucus to say no and to cast our votes in the negative. Yes, this is like sending it to an arbitrator, no question about it, but my colleague from Beaches-East York makes the point that when you draft legislation that has other workers' wages going to an arbitrator, they're fettered by all kinds of conditions. Ours isn't. There's nothing attached to it. So for all those reasons, as difficult as it was, I voted no.

1730

There are, however, areas where I disagree with my leader and with some of my colleagues. On page 1588 of Hansard, my leader said, "There won't even be a vote in the Legislature any more. This whole matter will be turned over to someone who is not accountable to the citizens of Ontario, who is not elected by the citizens of Ontario, does not have to account in any way to constituents or to the broad public of Ontario. It will be turned over to someone who can, with a stroke of a pen, avoid all that accountability."

Fair enough, but if we take a look at what former Premier Rae said, and it was Mr Brown, our Speaker right now, who originally brought these quotes into the debate, it shows that where the NDP should be on this issue is open for legitimate debate and that there isn't one place with the angels where the NDP should be, given where the former leader of our caucus and the former leader of this province was on this very issue.

It breaks down into two parts. One is, should we give it to someone else to make a decision and abdicate our

responsibility to vote on every measure of spending? Second, is the Integrity Commissioner the appropriate place to send it?

On the first issue, most members have said, and I haven't heard anyone say anything different, that the whole notion of us voting on our own pay they find distasteful, to say the least. When we ask the public, our constituents, certainly that's one of the issues they feel strongest about. We can't have it both ways. Either we have that responsibility, or that opportunity as some folks might see it, or we give that to someone else and say, "You decide, arm's length, and what you decide goes, whatever that is." They are really the only two ways to go.

At this point I'd like to read a little more extensively, cover some of the issues you raised, Speaker, in your remarks earlier, but also cover some of the other ground I've raised here, and I'm rapidly running out of time.

This is Bob Rae, on Thursday, January 7, 1988. I want to emphasize that he was the Leader of the Opposition at the time, and if ever there was someone who needed or wanted—not needed, necessarily, but wanted—and could use a wedge issue, particularly between us and the Liberals, this would be the guy and this would be the time. Yet here's what he had to say:

"We are subject to an extraordinary degree of public scrutiny as members of a profession that deals with the public and for whom publicity is a way of life for us. The question is raised on many occasions, whenever salaries are raised, that it is not the right time. People say this is not the right year. Let me tell you, Mr Speaker, there is never a right year to deal with this question. It is always going to be one which will raise eyebrows and obviously one which will raise concerns from a public which in many cases does not have the highest opinion of those of us who are in elected office.

"I want to make it very clear that I do not have any figure in my head that is an ideal figure for what a member should be paid, or for what a cabinet minister should be paid, or for what the Leader of the Opposition or the leader of the third party should be paid....

"I do not think it is right that we should be put in the position every year of having to determine our own salaries. It is inappropriate. It puts us in an invidious position, and I think it is wrong....

"I think it is unhelpful to our own job. I think it is unnecessary. I do not think we should be put in a position of having to do it or in the position of doing it....

"I happen to think there is a good solution, which I have urged publicly and will be doing so again today. What we should be doing in this bill is establishing a commission—it could be the elections commission; it does not matter—and giving to that commission the power to establish salaries; not simply to make recommendations, the power to establish what they should be."

Ms Lankin: I agree.

Mr Christopherson: My colleague from Beaches-East York says, "I agree." Obviously I do too, or I wouldn't have read that into the record. It makes a whole

lot of sense if we accept the fact that we don't want, nor should we, and nor do our constituents want us setting—excuse me. I've got to take my coat off; it is so warm in here. I don't like to do that, but—

Mr Kormos: Take the tie off.
Mr Christopherson: I'd look far too much like Kormos. That wouldn't work for any of us.

But given the fact that so many of our constituents feel so strongly, I do believe there's a fair argument for giving this away. I understand the concerns of some of my colleagues and my own leader about, "Where can this lead us?" and, "If we delegate this, we could delegate to other places." But at the end of the day, that can only be done by legislation and the scrutiny of this place, which is why we have so many concerns about what's been put into the regulations, which go into the cabinet room. But things like that would have to come here, and I have faith in the system, in the process in parliamentary democracy, that if a government tried to do that, the hue and cry would be strong enough even for this government that they couldn't withstand it. So I think that part is correct.

When we talk about where it goes, again, I started out where I agreed. I disagree with my colleagues who say the Integrity Commissioner is not the right person. It may be that there's somebody better, but I don't think there's anything inherently wrong with the Integrity Commissioner being responsible for this, and for one very good reason: we, all the members of this place, and all the citizens of Ontario look to the Integrity Commissioner to make rulings and decisions that are of far greater consequence than what we get paid. The Integrity Commissioner decides when there's an allegation that a cabinet minister or the Premier of the province has been not criminally wrong, because that has a different process, but politically wrong, that he or she has been involved in a process in a way that is unacceptable in this parliamentary system, particularly in judicial or quasi-judicial decisions, and matters having extremely important dollar figures attached.

Those decisions, in my opinion, that we give to the Integrity Commissioner are a lot more serious and of greater consequence to the people of Ontario than what our wages are. So I don't see anything wrong with our sending it to the Integrity Commissioner, and certainly it's consistent with what former Premier Rae said about "to some commission." No matter how you do it, you're always going to be responsible in some way for who gets appointed, what they're getting paid, and the whole question of political allegiance. You can't escape that. So let's go to somebody to whom we've given decision-making powers that affect us in a way that has consequences already beyond this. That makes sense to me.

Second to last—I'm down to just a little over two minutes—is the issue of whether or not we should take it. I want to just read into the record what transpired the other day between Marilyn Churley and John Gerretsen. Marilyn was making a speech, and along the way Mr Gerretsen said, "Are you going to take it?" Ms Churley said, "Absolutely. Do you think I'm going to take any

less money than you or you across the floor?" I would also add to that that there's a new member in this place; he's only been here for a few months. Nobody in my caucus has suggested that he's not entitled to the same wages as the person beside him. The same goes for my colleague from Ancaster-Dundas-Flamborough-Aldershot, who hasn't been here that long either. No one is suggesting that he's not entitled to exactly the same amount of money as every Tory backbencher and every member of the NDP caucus.

My own leader made the point very eloquently and very firmly and showed greater leadership when he said, "I know that members of my caucus work quite hard; they work very hard. I don't expect members of my caucus to come here and work, put in hour after hour, and then take less pay. That's just not on. I don't expect them to somehow say at the end of the day, 'If Liberal members and Conservative members vote themselves an increase in pay, I'm worth less than a Liberal backbencher or a Conservative backbencher or, for that matter, a cabinet minister.' I don't expect that of them." That is leadership, in my opinion, and I appreciate the fact that he has come forward and said that.

Unfortunately, when he was asked by Mr Klees in a heckle, "Are you going to take it?" he waffled, in my opinion, and I don't think he needed to. If he feels strongly enough that we're entitled to it, no matter what we're debating here, then I want to argue that he's entitled to it too. If the Premier and the leader of the official opposition start to play games, fair enough; there's no way my leader should be put out there. But I don't think he should have to worry about whether or not the media—and I suspect he's got a good reason to worry about the media and how they'll play it in terms of him and the member for Nickel Belt, his wife, Shelley, when they lump the wages together. If she were a lawyer and made even more money, that wouldn't happen. So I understand why he's reticent, but I think he ought to stand behind the arguments he made about us taking it and he should feel comfortable himself taking it, because otherwise the message becomes foggy.

1740

My last point in the last 23 seconds: I'm counting on Judge Evans. I called the office; he is following these debates. I'm counting on him to be fair—fair to us and fair to the public. I'd love to see him give us a marginal increase now, perhaps phase in some, but make the bulk of it in the next term of Parliament. That makes the most sense. That would be fair.

The Deputy Speaker: Questions? Comments?

Mr Gilchrist: I'm having a very difficult time reconciling the very last sentence of our friend from Hamilton, who says he trusts the Integrity Commissioner, he trusts that his process will be fair and his outcome will be appropriate, and even suggests that the consequence might be a bit of an increase now but a greater increase on which everyone would be accountable when we go to the polls next time. If that's truly your expectation, why in the introduction to your comments did you say you're

voting against the bill? Because that's all this is: a bill that gives the power to the Integrity Commissioner, at arm's length from us, to look at the issue of pay and benefits and judge all of the other criteria that he believes are appropriate—not you or me. And while you stand there all very pious and suggest that members on this side of the House are concerned about some of the decisions we've taken—

The Deputy Speaker: I don't think we need to ascribe values and such things to other members.

Mr Gilchrist: I'll certainly withdraw that, Mr Speaker, although it was used earlier this afternoon.

I'm going to say to the member opposite that the bottom line is that this is all about the process, about being at arm's length, and we think it's an appropriate step to take so that we're never in a conflict-of-interest position again.

Mr Bradley: Another good speech, I must say, on the issue of members' compensation this afternoon from a member of the New Democratic Party, the member for Hamilton West. He was moderate. He was reasonable. He did indicate that he and his party would be voting against this.

The difficulty I have as a member of the Legislature is that I turned on the radio this morning—I have to turn on the radio and listen to the fact that it's the bloody government and the Liberals who are shoving this through. But it is the New Democrats who are going to get the money as well. I know you think I'm being partisan to say that, but fair ball. If I have to listen to your leader poke at this opposition party over this and make fun of this opposition party and have a smirk from ear to ear about it while he's doing it, then I think it's fair for me, when I turn on the radio and hear that somehow we're going to force this increase on members of the NDP and they're going to take it—somehow the NDP gets the best of both worlds. You can be populist and oppose it. Let me get this straight: I believe that you genuinely do oppose it. I'm not saying it's done for those reasons. You get the credit for being against it, but you're still going to get the pay increase, if there is a pay increase.

I thought it wasn't going to be acceptable—what happens if there is an increase in the minimum wage? Then would it be OK? What happens if it were a slightly different procedure? Then would it be OK? I sat on a municipal council. I used to watch people on municipal council who would vote against a pay increase while secretly, behind closed doors, they were promoting it and happy it would be there. That's my problem. I don't like this process; frankly, I think it stinks. I don't like this bill; I think it stinks. But when people take credit for opposing it, I think then they have to look at themselves and say, "Can I accept it if I oppose it?"

Ms Lankin: I appreciate the opportunity to respond to the member for Hamilton West. I also want to say to the member for St Catharines that I think it's a darned shame that his party won't let him actually participate in the debate and he only gets these little two-minute shots. I'd like to hear a whole speech from him on this.

The other thing I want to say to him on this point he keeps getting up on is, if you're going to receive at the end of the day whatever Judge Evans says, then you should be in favour of the process. I fought for years in this province for equal pay legislation and I am not about, on anyone's description, whether it is words that have been withdrawn or other allegations that have been made, to see differential levels of pay introduced in here. I'm also not about to be hijacked by that and not be able to express an opinion.

What I want to say in response to the comments from the member from Hamilton is how much I appreciated him bringing the legislative debates from 1988. I was unaware of that. I was not a member of the House at that point in time. But when I spoke earlier, I expressed a very similar sentiment, that I don't think it is appropriate for members of the Legislative Assembly or any elected members to actually vote on their own salaries. I appreciate the comments made by my House leader and I understand the principle of accountability that he is speaking about. There's a difficult balance to be struck. But I have never seen a time when members of the Legislative Assembly could agree that it is a good and appropriate time, or what a good and appropriate number would be for a salary.

As I said earlier, I used to be a negotiator. I am a tough negotiator on behalf of workers, and I can come to really good settlements. But you talk about doing it for myself? No way. It's not possible. I look out and I see people in very difficult situations and I always feel that we shouldn't be as well off as we are. If you left it to me, I'd bargain us down to nothing, so don't put it in my hands.

I appreciate the comments that the member from Hamilton West has placed on the record. I understand why he's voting no. They're the same reasons that I'm voting no.

Mr Bob Wood (London West): I have to express some disappointment in the remarks of the member who just spoke. By that I mean the member from Hamilton West. I was rather hopeful that he might see fit to support this bill. The reason I say that is I think since this has been an issue in the last year or so, since it became known that the budget was balanced, we've had to take a look at how to arrive at fair compensation for members of this House. I for one listened to the people of London West, and what they said to me was this—and I think what they said to me was probably rather typical of what people said across the province. They said, "We want to make sure that you get fair compensation. But on the other hand, we'd prefer that you not make that decision, because you have an inherent conflict of interest."

This bill, I think, after considerable discussion, input and comment from people across the province, a good number of them in London West—and I appreciate all of those—we seem to have got the message that what they want is an independent person to set rates of pay in a fair manner. I would have thought that proposition might have appealed a little more than it has to the member for Hamilton West.

I would say that if we end up with an increase—and we don't know whether we will or we won't—if someone feels that that increase is not appropriate, all they have to do is give the money back to the province. Frankly, I think that's the obligation of each of us. If we think we're getting more money than we should, we have the obligation to stand up, say that, and give it back to the government. I would invite those who ultimately, once they see the decision, feel that they're being paid too much to come forward, announce what they're doing, write a cheque to the province of Ontario, and then I think they can be fully satisfied that they're not being in any way unfair either to the people of the province as a whole or to their own constituents.

The Deputy Speaker: Response?

Mr Christopherson: I thank all the members, Scarborough East, St Catharines, Beaches-East York and London West, for taking the time to listen and respond.

To the member from Scarborough East, you asked the question, why did I say I was putting faith in Judge Evans if I didn't want this to be dealt with. I don't see any consistency there at all. If you asked me initially, do I wish that this wasn't going to him and it wasn't being dealt with at all, that after you had tried twice before and failed, this was best left alone to the next Parliament, my answer to that question would be yes, that's what should happen. But in the absence of that, and since you've got a majority and this is going to pass, I'm stating and appealing to Judge Evans to weigh all of this in his capacity as the Integrity Commissioner, bearing in mind the issue of integrity, and that the public's opinion and all of the issues we've raised here are valid and ought to be factored in. I'd be thrilled if he made the bulk of the adjustment—and I do believe there should be an adjustment—take place after the next Parliament.

To the member from St Catharines, fair enough. I take your comments and agree that you've got a point. But let me also say to you, you've got to take responsibility for the fact that the government knew ahead of time they had your vote, that you agreed to put this through as quickly

as possible—I didn't raise any of this in my debate; I'm responding to you—and that there would be limited debate on your part. The only ones debating this, as pointed out by my House leader, is us. So we've all got a little bit to wear in this thing. Beyond that, though, I appreciate the comments you made.

Lastly, the member for London West said he was disappointed. He thought I might see fit to support this. As I said, yes, I agree there ought to be an adjustment. If you take a look at what we do and where the feds are and do all the proper comparators, I think an adjustment is warranted. But I also believe it's best, particularly if it's going to be a lot of money, to make that decision and have it take effect with the next Parliament. That's the right thing to do.

The Deputy Speaker: Further debate?

Hon Elizabeth Witmer (Minister of the Environment): I move that the House do now adjourn.

The Deputy Speaker: It's out of order to move adjournment of the House. Instead of a motion to adjourn the House, we can move adjournment of this debate or, if no further people wish to debate, we can dispose of the question.

Hon Mrs Witmer: Mr Speaker, I move adjournment of the debate.

The Deputy Speaker: Mrs Witmer has moved adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

Hon Mrs Witmer: I move that the House do now adjourn.

The Deputy Speaker: Mrs Witmer has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it. Carried.

This House stands adjourned. We'll resume at 6:45 of the clock.

The House adjourned at 1753.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Gary Carr

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Clerk Assistant / Greffière adjointe: Deborah Deller

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Second Session, 37th Parliament

**Assemblée législative
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Deuxième session, 37^e législature

Official Report of Debates (Hansard)

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Tuesday 19 June 2001

Mardi 19 juin 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 19 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 19 juin 2001

The House met at 1845.

The Acting Speaker (Mr Bert Johnson): I want to give everyone a warm welcome this evening.
Orders of the day.

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): Thank you for your warm welcome, Mr Speaker. I'd like to call order G80.

ORDERS OF THE DAY

STABILITY AND EXCELLENCE IN EDUCATION ACT, 2001

LOI DE 2001 SUR LA STABILITÉ ET L'EXCELLENCE EN ÉDUCATION

Resuming the debate adjourned on June 18, 2001, on the motion for second reading of Bill 80, An Act to promote a stable learning environment and support teacher excellence / Projet de loi 80, Loi favorisant la stabilité du milieu de l'enseignement et soutenant l'excellence des enseignants.

The Acting Speaker (Mr Bert Johnson): Further debate?

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: A quorum call, please.

The Acting Speaker: Would you check and see if there's a quorum present.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The Chair recognizes the leader of the third party.

Mr Howard Hampton (Kenora-Rainy River): Thank you, Speaker, and—

Mr Wayne Wettlaufer (Kitchener Centre): On a point of order, Mr Speaker: I'm just wondering if it's a point of order to point out that there is only one NDP and no Liberals in the House at this time.

The Acting Speaker: No, it's not.

The Chair recognizes the leader of the third party.

Mr Hampton: I just want to point out to the members opposite that it's the duty of the government members, by virtue of being the government, to keep a quorum in the Legislature. If they are not able to keep a quorum, then that is a reflection on the government and their seeming lack of interest in the affairs of the Legislature.

I want to resume where I left off yesterday in terms of this debate. Just so that everyone is aware of what I was saying, I pointed out that whenever this government gets into trouble on a particular issue, they look for some way of vilifying someone or putting together an attack or offensive against someone.

We know this government is in trouble with respect to their scheme to use taxpayers' dollars to fund private schools. We know the public clearly understands now that the money which will be given to private schools will come out of the budgets of public schools. We also know that the private schools that will be funded will not be subject to and will not have to meet any of the requirements our public school system has to meet. They will not have to use certified teachers. Their teachers will not have to pass certification and recertification criteria. We know these private schools will not have to comply with the Ontario Human Rights Code. In surveys we've done of a number of the private schools, by their admissions criteria they in effect close their door to disabled children, children of special needs and children who are developmentally handicapped. In fact, there is broad discrimination and we know that the majority of people in Ontario are absolutely opposed to public funds being used to fund and finance this kind of systemic discrimination.

1850

The more people become aware of this, for example, when people become aware that as these tax credits entice children out of the public system and into the private schools, the government will then cut public school funding accordingly, people become quite concerned.

So the government has found it necessary to try to create a diversion, to create some other educational issue that will divert attention away from their scheme to use public money to fund private schools, to divert attention away from their tax credits for private schools, to divert attention away from their vouchers for private schools. That's why the government introduced this legislation.

What this legislation does, or what it's intended to do, is to start a fight with the support workers in our schools, those people who ensure that our public schools are clean and well taken care of, that they are safe for the children, that they meet health and safety standards. There are the school clerks and school secretaries who phone parents each morning when a child is late or is not in attendance to make sure the child is at home and is not somehow lost between home and school. This legislation is intended to start a battle with this school support staff.

In addition, some of the other elements of this legislation are intended to start another battle with teachers. The government knew when they brought in some of the measures in this legislation that they would offend the vast majority of teachers across the province, and I say to you the government intended that. By beginning that kind of strife, they can then deflect attention away from their disastrous plan to use public money to fund private schools.

So that's where we are. That's why the government brought in this legislation. What I'd like to do is use the time remaining to me to actually go through some of the measures of this legislation that are so badly thought out.

For example, the government in this legislation has introduced measures to recertify and test teachers. In doing so, even the college of education, the very body, the very organization that does the lion's share of work in terms of teacher certification and teacher professional development, has said that what the government has introduced lacks credibility, is not implementable, is probably legally open to challenge and is not financially sustainable. In other words, the government has brought in a strategy—a scheme; I wouldn't flatter it by calling it a strategy—that even the college of education says can't be implemented, that there is no money to implement it with, that lacks credibility in the education community and lacks credibility, most of all, among academics and, finally, could be challenged legally.

Why would a government introduce something that is so ill thought out and obviously so inadequate? I say to you that the reason they brought it in is not to make a positive addition to education in the province, but rather to start a battle with teachers and with the college of education, and then to use that battle to deflect or otherwise try to get the issue of public money, taxpayers' money, being used to fund private schools off the front pages and out of the headline news stories.

Just for a minute let me deal with the issue of teacher testing. The teacher testing part is in many ways an insult to teachers. The college of education has been out there, they've consulted with teachers, they've consulted with boards of education, they've consulted with academic institutes. The College of Teachers actually put together a strategy for teacher certification, teacher recertification and further teacher professional development that had the support of teachers. By completely ignoring this good work that the college of education has done, which teachers have participated in, which academics at the Ontario Institute for Studies in Education and academics at the various faculties of education have participated in, by completely disregarding that and instead bringing in their own inadequate scheme, this government has once again insulted the teachers of Ontario, has once again insulted the broad education community in the province.

I say again, this hasn't happened by accident; it's happened deliberately. The government is desperate to drive that issue of taxpayers' money being used to fund private schools off the front page, so it will make a collective insult to the education community of the province to do

that. But at the end of the day this will not be good for classrooms, it will not be good for our students and it will not be good for the education system as a whole. Creating more strife in our schools, creating more strife in the classroom, picking another battle, insulting teachers one more time is not good for the education of our children, is not good for our schools as a whole, yet that's what the government has chosen to do.

I want to deal with one of the other elements in this, and that is the government's desire, as they say, to create labour stability in the schools. What they are proposing to do is this: they're proposing that should this legislation pass, all boards of education would be required in any collective agreements they sign henceforth to ensure that it is a three-year collective agreement.

What's the government up to here? As we know, there's likely going to be an election over the next two years and so the government wants to find a way to silence the teachers, to silence the education support workers and essentially ensure that in the government's lead-up to the next election there will not be any labour disputes, any lockouts, any strikes, not in the interest of education but in the interest of trying to give this government smooth sailing into the next election. That in itself suggests how much the government's motivation is political, not educational.

When you look beneath the veneer, this situation becomes even worse. The boards of education are not opposed to signing three-year collective agreements with their teachers and their education support workers. The teachers and the education support workers are not opposed to three-year collective agreements. But what the boards want, what the teachers want, what the education workers want and what parents want is to know what the funding will be over the next three years. If they're going to sign collective agreements that extend three years, they want to know, quite reasonably, what will be the funding: what will be the educational funding for year one; what will be the educational funding for year two; what will be the educational funding for year three?

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One would think that in a rational world a government that says, "We want three-year collective agreements," would then produce three years of funding. In other words, they would say, "This will be the funding in year one. This will be the funding in year two. This will be the funding in year three," so that rational planning can be done, so that the board will know how much money it will have to invest in school operations and in the recruitment and retention of teachers; how much money it will have, for example, for salaries; how much money it will have for special education; how much money it will have for busing etc. These are all big issues that need to be dealt with.

Just on the issue of, "How do we pay for our heating bill?" we have seen incredible increases in the cost of natural gas over the last few months. We know that the government has increased hydroelectricity rates. We know that there are more hydroelectricity rate increases

on the horizon. If the government wants boards of education and education workers to negotiate three-year collective agreements, one would rationally expect that the government would come forward and say, "This is what you'll have in all of these budget categories for the next three years so you can plan, so you can allocate the funding, and you can then sign these collective agreements." In a rational world, that's what one would expect. But alas, the government is not prepared to do that, so I gather that boards of education and teachers and education workers are supposed to sign collective agreements completely in the dark, without knowing what funding will be available.

I just want to contrast what the government is saying there with the proposal in the legislation the government has brought forward with respect to its own pay raises for MPPs. When it comes to their own pay raises, is the government prepared to countenance any uncertainty, any insecurity? Are they prepared to say that the pay increase will be subject to a certain level of funding and the funding being allocated by the Legislature? No, not at all. When it comes to their own pay, what the government is prescribing is that as soon as the so-called independent commissioner makes a recommendation and signs his name, it automatically takes effect. It automatically takes effect and there is no appeal; there is no discretion. They money must ipso facto be allocated. What a contrast—

Interjections.

Mr Hampton: I think I've hit a nerve with the government benches. I think I have succeeded once again in waking up those government members. I think I've got their attention again, Speaker, and I want to thank you for your indulgence in allowing me to awaken them from their slumber and to get their attention once again. As soon as you mention their own salaries, isn't it interesting how they come awake? They come immediately awake, and so, Speaker, I want to thank you for allowing me to point out that incredible contradiction: that education workers, teachers and boards of education are supposed to sign three-year collective agreements without knowing any of the allocation of funding, but when it comes to their own salaries, these government members want absolute certainty. The whole thing takes effect as soon as the commissioner signs his or her name. I think it tells you where the priorities are. Right? Education ranks down there when it comes to comparing it with their own salaries.

Signing a collective agreement when you have no idea what the funding is for the board of education, for the school board, I would say is operating in Theatre of the Absurd. Not knowing what funding you're going to receive, but knowing, because virtually every energy expert in North America will tell you this, that natural gas prices and heating oil prices are going to increase, knowing that electricity prices are going to increase—even the Minister of Energy admits that now. The Minister of Energy, who was saying to people that as a result of this government's strategy of selling off our hydroelectricity system, power rates would go down,

now says that's false, that's not true, that the cost of electricity is going to go up. If I may say, the last two jurisdictions to sell off their electricity systems were California and Alberta and they have seen a doubling, a tripling, a quadrupling of their electricity prices. Why would a board of education sign a collective agreement not knowing what their funding level is but knowing that the cost of heating oil, the cost of natural gas, the cost of electricity by all predictions are going to go through the roof? Why would they do that? Why not just put a gun to their heads? It has the same result.

Why would a board of education sign such a collective agreement when they know, for example, that everyone who is looking at the price of gasoline is saying the price of gas is going to go up? The international oil and energy companies are socking away the money and are so happy to force the price up, which means the cost of busing, which is substantial in rural Ontario—and I know you would understand that, Speaker, because of your constituency, which is much like mine. It's not unusual in my constituency to see children being bused 90 minutes, an hour and a half, 100 kilometres, to go to school in the morning and then 100 kilometres back in the evening. That's not unusual. When you look at the price of gasoline and what that's going to do to the cost of busing, why would a school board sign a collective agreement when it has no control over that variable—none whatsoever?

Then we have juxtaposed beside this—I'm glad I had a chance to question the Minister of Education today; it was quite enlightening. The minister admitted in estimates that in fact the government has no formula to cover off just general inflation. In other words, if since 1995 you've had a 15% inflation factor for Ontario—and that is the case; Statistics Canada will tell you that since 1995 the consumer price index for Ontario has risen by 15%. So to buy what would have cost you \$100 in 1995, you now need \$115. That's the inflation factor. The Minister of Education admitted that in its funding formula this government doesn't even keep track of inflation and doesn't fund so as to deal with inflation.

Well, if the government funding formula isn't even prepared to deal with just general inflation, why would a board of education sign a collective agreement when, if there's an inflation factor of, say, 2.5% or 3% a year over the next three years, they would be out by 9% or 10% three years from now? In other words, just in inflation alone they would have 10% less money than they need. No board of education would do that, no rational person would do that, yet this government is going to require, going to order, boards of education to do that.

There's an even greater element of uncertainty to this. Again, I was glad to be able to question the Minister of Education, because she admitted I was essentially right. I asked the minister, "Do you keep track of enrolment? Do you forecast enrolment increases?" She said, "Yes." I then said, "Well, now that you're offering this voucher, this tax credit for private schools, have you done any forecasting as to how many parents, upper-income parents, might be enticed, as a result of that tax credit to

take their children out of public schools and put them in private schools?" Do you know what is remarkable? The Minister of Education admitted that before the government introduced their enticement for private schools, they did no such study and that since then they have done no such study.

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So they don't know what the impact of private school enticements, private school vouchers, will be on the enrolment in the public school system and therefore the funding for the public school system. They don't know that and yet they want boards of education—not want, they're going to command boards of education to sign a three-year agreement.

I just want to illustrate for people at home the conundrum that this will put the public schools in. Fortunately for us, some think-tanks, some independent research groups, have been out there and have actually done some research on how many upper-income parents would use the private school tax credits, the private school vouchers, to send their children to private school.

Lang Research, a very reputable research organization here in Ontario, has done a lot of opinion research and a lot of quantum analysis. They did a representative survey of Ontario and they sent questionnaires to literally hundreds of parents. What they found in their representative survey is that 15% of parents in this province who now send their children to public school would seriously consider sending their children, with the introduction of these private school tax credits, these private school vouchers, whatever the government wants to call them to private schools.

Now 15% of students in Ontario works out to 330,000 students. If 330,000 students left the public system and went to the private school system—you can talk to any director of education in the province, and they will tell you what that means for education funding. They will tell you that education funding under this government's funding formula works generally on a per-student basis.

One of the boards of education in my constituency lost 200 students two years ago. When they lost 200 students, they lost \$1.4 million out of their funding formula. How do you get to \$1.4 million? The director of education will tell you this straight up. You take the 200 students and you multiply by \$7,000 per student, and that works out to \$1.4 million. Depending on the unique circumstance of your board, it could be \$6,900 per student, maybe \$6,800 per student, maybe \$7,100 per student, but roughly \$7,000 per student. He said, "We lost 200 students. Then they took 200 times \$7,000—\$1.4 million—out of our budget."

Another board of education in my constituency lost 700 students. The director said, "I can tell you right up how much money we lost. You take the 700 and in our case, because our funding is a little less, you multiply by \$6,800 per student, because of our unique circumstances, and we lost \$4.6 million."

If 15% of the students in the province leave the public school system—that's 330,000 times \$7,000 per student—it works out to \$2.3 billion going out of the public

school system. If only 10% leave, if only 5% leave as a result of this private school enticement, it means that boards of education would be absolutely nuts in the head to sign three-year collective agreements and face the prospect that they're going to lose \$2 billion of their funding, \$1 billion of their funding, even \$500 million of their funding as a result of students leaving their public school system.

Yet that's what's this government is commanding—not asking, not diplomatically requesting—that boards of education must do: they must sign a three-year collective agreement, not knowing how any of this is going to be dealt with in the funding formula.

Do you know what is even more incredible? This is a government that, if you read their throne speech and their budget, uses the word "accountability" at least four times on every page. Where is the accountability of a government that knows that natural gas prices are going up, that knows heating oil prices are going up, that knows that hydroelectricity prices are going up, that knows that the costs of busing are going up, that knows that its private school vouchers—its private school tax credits—are going to have an enticement effect in terms of enticing students out of the public system, it is going to create all kinds of uncertainty in terms of funding and a government that knows that it doesn't fund to cover inflation? With all that uncertainty, it's going to command boards of education to sign three-year collective agreements.

You tell me, where is the accountability in that? I think any rational person, any reasonable person out there, no matter of what political persuasion, would say that that is absolutely bereft of accountability; it is the antithesis of accountability. If anything, it is truly a venture into Theatre of the Absurd. Yet that's what this government is commanding for our schools and for the funding of our schools.

I just want to talk a bit about the other side of the equation. From one of my past vocations, as a teacher, having actually sat in on negotiation sessions, bargaining sessions, I can tell you that no responsible teacher federation representative could ever go back to the teachers in his or her school, in his or her board of education, and recommend that those teachers sign a collective agreement—any kind of collective agreement—in view of this incredible uncertainty.

No responsible person would; no accountable person would. Frankly, any negotiator for the board of education could not go to the negotiation table with any credibility whatsoever. Such a person who tried to do that with any kind of credibility would be the laughingstock of everybody at the table. Anybody out there who deals with wage and salary matters or who has to set budgets or deal with budgets would laugh at that kind of prospect. It is truly unbelievable, but that is what this government is not just proposing in this legislation; that is what they're commanding in this legislation. People across Ontario need to know about that.

What effect will this have on morale? What effect will this have on the morale of teachers? What effect will it

have on the morale of educational administrators? What effect will it have on the morale of education workers, broadly defined? I don't think you have to be a wizard, I don't think you have to be some kind of wisenheimer to understand that this would lead to an unbelievably frustrating situation, that it is so disrespectful, that it is such a shameful prospect, that it could not have any other effect than to be extremely corrosive of morale. Yet this is what the government—not proposing—is going to command boards of education to do.

There is another part of this legislation, and what is really incredible is that the government has the gall to call this a provision regarding labour stability, the gall to say that something which increases and instills insecurity everywhere will lead to labour stability. If George Orwell were alive today, he would indeed get more than a few chuckles out of this government's usage of the English language, or should I say misuse of the English language. You know Mr Orwell, who spoke about doublespeak and so on. As I say, Mr Orwell would indeed have quite a chuckle at this government's use of the English language.

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The other element of this legislation which is, I would suggest to you, going to create not labour stability but much frustration is the provision which will in essence, knowing this government and how it operates, take away the right to strike from educational support workers, because that also was involved. I have to say again, when you have so many provisions which by their very nature and the surrounding context are going to introduce so much uncertainty into our schools and into school relations, are going to create so much conflict and confrontation, the only thing you conclude is that this is a government that desires that conflict and confrontation in the schools; this is a government that is looking for ways to keep conflict and confrontation going in the schools; this is a government that does not want our schools to go quietly about their work; this is a government that wants that conflict so that it will force the issue of public funding for private schools off the front pages and off the lead story of the newscasts.

Finally, in the time remaining to me, I want to deal with the government's approach to extracurricular activities, because with great fanfare a few short weeks ago the Minister of Education announced that the government had created the conditions whereby extracurricular activities would be restored to our high schools across the province. Sure as shooting, the government got the headline the next day, saying, "Extracurricular Activities to be Restored."

When you read the fine print of this bill, you suddenly discover that it's not true, that in fact the so-called compromise, the so-called meeting of the minds that the government boasted about a few weeks ago, didn't happen, it was quite unreal. So this government is going to once again use the hammer of legislation to force people—in this case, they're going to force the boards of education, and I just want people to understand clearly what they're going to do. What they're going to do is

this: the amendments in this legislation say that it is the legal duty now of each board of education to have extracurricular activities in their high schools. So the problem suddenly is foisted on to the boards of education. The boards of education are now the bad guys. After this government screwed up extracurricular activities virtually across the province—they took what was a local problem in Durham region and inflicted it on the rest of the province—they're now going to say, "Ah, but over to you, board of education. You have to fix this, and if you can't fix it, you're the bad guy."

Under the terms of the legislation, how is the board of education going to fix this? This is really interesting. As we know, this government has legislated a much lengthier teaching schedule for teachers than has ever existed before. It means that each teacher is teaching more hours each day and teaching more students. The teachers are saying, "Look, if I have all of this prep work to do, all of this teaching to do, and then all of the marking and follow-up work to do, I'm sorry, I will not have as much time for extracurricular activities." The government's answer? "It's now the responsibility of the board of education." In order to get some teachers to coach and to take over the band and drama and the chess club and to chaperone student dances and activities, the board of education must lighten the load of those teachers who are prepared to take on these extracurricular activities. But the only way they can lighten the load of those teachers is to increase the class sizes of other teachers.

So the government strategy, after creating this strife, this conflict, is now to say, "You, boards of education, you're the bad guys. You're at fault. You're to blame," and on top of that, then set parameters on what the boards of education can do to try to fix the problem. The only way they can fix the problem this government created is by increasing the class size at the secondary school classroom level. This is not going to provide education stability; it's going to create more frustration.

The Acting Speaker: The member's time has expired. The Chair recognizes the member for Simcoe North.

Mr Garfield Dunlop (Simcoe North): It's a pleasure to be here this evening. It's a pleasure to listen to the Leader of the Opposition. I guess the sky is falling, in your opinion, again. I can't believe the fearmongering and the scare tactics and the negative feeling toward everything that occurs in the field of education.

Let's talk about funding. In 1995, total school board revenue was \$12.9 billion. For the coming school year, that revenue is projected to be \$13.8 billion. That is an increase, over last year, of 2.8%.

You talked a little bit earlier about the school boards that won't sign agreements. There are school boards today that have signed multi-year agreements. There are 44 school boards in the province of Ontario right now that have two-year agreements. There are two others that have three-year agreements. You make it sound as if every agreement in the province, any kind of a collective agreement whatsoever, has to have the money upfront

showing in the budget. I'm disappointed that you don't have any faith at all not only in the government but in the school boards to make decisions.

This year, in 2000-01, we will invest \$1.37 billion in special education.

Mr David Christopherson (Hamilton West): It's not enough.

Mr Dunlop: No, it's never enough. When you're a taxaholic, when you're a tax addict like you people—

Mr Christopherson: You tell that to the parents of kids who can't get to school.

Mr Dunlop: It's a 17% increase since 1998-99.

Mr Christopherson: You tell that to the parents of disabled children in Hamilton.

The Acting Speaker: Order. It's a hot night, but I would like at this time to warn everybody that I don't think that's any excuse for unparliamentary behaviour. I would ask you to keep that in mind.

Comments and questions? The Chair recognizes the member for Thunder Bay-Superior North.

Applause.

Mr Michael Gravelle (Thunder Bay-Superior North): Thank you very much for your kind applause. It's hard to imagine that the government members and the government itself can't take our concerns seriously about the facts, and certainly the fact of the three-year contracts being forced upon the school boards and unions to try to settle, when indeed unless you do have some kind of idea about what kind of funding you're going to be receiving, this process is one that is fraught with absolute peril. We know about increased costs for heating. We know about increased transportation costs.

I certainly agree with a great deal of what the member for Kenora-Rainy River said. He made the point that he thinks one of the reasons why this is being done the way it is, which is to have all the contracts up to 2004 in place, is so they can avoid controversy at election time. I guess I have a slightly different angle on it, which is that I think indeed this may be a move by the government to try to force more confrontation.

We know that the contracts of 58% of the school boards—I think 71 of them—are ending this year and will be put in a position where the negotiations are going to be literally very difficult, to reach any kind of fair bargaining if you're going to have a situation where the school boards don't have any idea of what funding they can promise. Obviously the unions representing the teachers and other support staff are going to have some difficulty simply accepting that they can't have any increases at all. To me, it's a set-up, in essence, to actually cause confrontation, cause another crisis perhaps in the education sector, and one which leads us to believe that this is exactly what the Premier wants and exactly what this bill is moving toward.

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They talk about stability in education. I think this bill is one that actually is geared toward causing instability in education, because what will ultimately happen is that there will be some real problems in reaching negotia-

tions. How can you possibly negotiate a three-year agreement if you do not have some idea of what your funding ability will be in the years ahead? I have real concerns about it. I wish I had more time to express them. I think they are legitimate concerns and should be taken seriously by the government.

Applause.

Mr Gilles Bisson (Timmins-James Bay): Thank you, Minister of Community and Social Services, for that warm applause.

I want to say one thing on this particular debate that was raised by my leader. It's something that I and a lot of other parents feel for kids who are in the education system. My youngest one is in grade 13 and is off to university this upcoming year. But there are a lot of parents out there in our communities who are feeling that a lot of the things the provincial government has done vis-à-vis education over the last six years have really been an attack on teachers and wanting to pick a fight with them.

Yet again we see in this legislation a continuing of that particular agenda. In the end, I don't think it serves us in the long run in creating a better system of education. I believe that all it does is create a fight that doesn't need to be there and creates a feeling on the part of teachers that somehow the work they do isn't valued. I don't think that's a message we should be sending as legislators. They do important work in our society. They are entrusted with the care of our kids. They are entrusted to give them the best education possible so they can go out and compete with the other kids in the world on a level playing field, as people would say.

For people on the government side to continually bring in legislation like this that I and a lot of other parents view as an attack on teachers, I don't think serves us well. I understand why the government does it. It's a quick hit. It's another opportunity to have a press release that shows that this government is being tough on teachers when teachers are perceived by some—I wouldn't say all—to be a group of people who are favoured in our society.

I say to those people who believe that, go spend a day in a grade 8 class or a grade 11 or grade 12 class somewhere. Find out if it's exactly what you would want to be doing, because it takes a lot of skill, it takes a lot of talent, I would argue, and it takes a fair amount of education and patience to work with those kids and give them the kind of education they need. I don't believe that these types of attacks are leading to better education in Ontario.

Mr Wettlaufer: Once again, the member for Kenora-Rainy River, the leader of the third party, has demonstrated why they only have nine seats over there. They've lost total touch with the Ontario electorate.

Parents want to be assured that the teachers who are teaching their children in schools have the knowledge, the skills and the commitment to keep their children achieving the highest standards.

Mrs Marie Bountrogianni (Hamilton Mountain): On a point of order, Mr Speaker: Do we have a quorum?

The Acting Speaker: Would you like me to ask?

Mrs Bountrogianni: Yes, please.

The Acting Speaker: Would you check and see if there's a quorum present.

Clerk Assistant: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Kitchener Centre has a minute and a half.

Mr Wettlaufer: Once again, Speaker, the opposition parties have demonstrated that they don't care about the affairs of what goes on in this House. There are only two NDP members and one Liberal here.

What I was saying before is that there are many people in Ontario who recognize what we are doing and that it's not all that bad. The NDP and the Liberals claim it's that bad; well, it's not. It's good. It's good for the students.

Listen to this: "The government, to their credit, has had the nerve to make the first move and has put some building blocks to a compromise on the table." Who said that? Liz Sandals, the president of the Ontario Public School Boards Association. That was reported in the *Globe and Mail* on May 8, 2001.

Listen to this. He says, "What we're trying to say is we are prepared to compromise on the amount of time that is involved in the classroom as long as the government is prepared to compromise on the extra class." Well, we've compromised. That quote was from Earl Manners. We're waiting for him to compromise. That was reported in the *Toronto Star* on December 22, 2000. I know. You aren't in bed with Earl Manners like the Liberals are. I appreciate that. Nevertheless, you should still listen to what he says.

We have provided increased flexibility. We have provided what the Ontario electorate wants. The Ontario electorate is looking for teachers who are qualified, who are committed, who are professional. Most of them, 99% of them, are that. We want the extra to be.

The Acting Speaker: The leader from Kenora-Rainy River has two minutes to respond.

Mr Hampton: I want to thank the members for paying such close attention to what I was saying, and I want them to know I was paying close attention to what they were saying.

First of all, I would urge the member for Kitchener Centre, if you're going to use quotes, to please use up-to-date quotes. The quotes you are using are out of date. In fact, the very elements of this legislation speak against the comments you quoted. So please, I've got no problem with your using quotes, but use quotes that aren't out of date.

To the member for Simcoe North, I can tell you that from the discussions I've had, the two or three boards of education out there that have signed three-year collective agreements are very worried now, because they see the uncertainty that the public funds for private school tax credits have created in terms of potentially declining enrolment. They know now, because the numbers are out there, that your government is not willing to fund for

inflation, that you are not funding for enrolment growth, that you're not funding for any of those things, that your response to the increases in the costs of heating oil, electricity and natural gas for this year alone were inadequate. So they are already second-guessing themselves and saying, "Why did we sign a three-year agreement when we have absolutely no security that the funding is going to be there? Our experience of this year is that the funding is not going to be there."

With respect to special education, what your government does whenever it cites special-education funding is that you neglect to take into account the money the local boards used to put into special education when they had property-taxing power to top up the provincial funding. In fact, you've cut funding for special—

The Acting Speaker: Thank you. The member's time has expired. Further debate?

Mr Norm Miller (Parry Sound-Muskoka): I am pleased to speak this evening on Bill 80, An Act to promote a stable learning environment and support teacher excellence, 2001.

I will begin by speaking about teacher testing. Today, educating our children is a much greater challenge than it used to be. Building a system that ensures our children's success means preparing them for a world that is continually changing and will be even more technologically driven and competitive than today's.

All parents want to see their children succeed. I think of my own four children, who are all in the public education system: my daughter Abigale, who is in grade 13, in her OAC year, and is just writing her final exams, preparing for post-secondary education; my other daughter, Renée, who is in grade 10, in the double cohort year, which makes me very interested in the double cohort year; my son Stuart, who is in grade 8 and will be graduating next Monday from grade 8, and I hope the whip allows me to leave this place so I can be at the graduation; and my son Winston, who is in grade 6. I hope I'm able to make it to Abigale's graduation on Tuesday if the whip allows me.

They are all in French immersion. They have all had an excellent education in Bracebridge to this point, and they've been lucky that they haven't been affected by removal of co-instructional support. They've had great teachers and an excellent education.

Most of us would agree that the quality of their child's teacher can affect how well their child performs. They want their children taught by teachers they know are well trained, knowledgeable and committed to continuous improvement, teachers they know will prepare their kids to compete and win in the world of today and tomorrow. Over the past six years, our government has been putting into place the building blocks for an education system that will effectively meet these challenges. The key part of that system is quality teaching.

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Parents know that excellent teachers foster a passion for learning that students carry with them throughout their lives. We've all had those excellent teachers. They

can also inspire their students to achieve things they never thought possible. I think of my daughter Abigale's science teacher, who suggested she apply for the Toronto Science Centre last fall and take a semester at that very special school. She applied and was accepted and had an exceptional semester doing OAC subjects at the Toronto Science Centre, which is a fantastic school.

Without the confidence that all teachers in our public schools are committed to excellence and continuous learning, we will not be able to fully achieve our goal of providing all students with an education of the highest quality. That is why our government last year introduced our comprehensive Ontario teacher testing program. The program builds on the support and systems already in place to ensure that both new and experienced teachers have the up-to-date training, knowledge and skills to help students succeed and achieve the highest standards.

The demand for quality assurance today exists in every job. Meeting public expectations for quality and excellence is not a challenge faced by teachers alone but also by members of many other professions. As a pilot, I know that if you're an instrument pilot, you take an annual or biannual flight test, depending on which rating you have. I think we'd all agree that we want someone flying on instruments to be able to meet those standards, especially if they're the pilot and you're the passenger.

In my past business running a resort, I faced many tests, whether it was being inspected by the health inspector, whether it was being inspected by the fire marshal or whether it was being inspected by the building inspector. All these inspections were meant to assure that our business met certain standards.

Teachers in other countries and provinces are also required to update their skills and knowledge. For example, in Nova Scotia teachers must complete at least 100 hours of professional development every five years. Many US states have entry requirements for new teachers and mandatory professional development requirements within specific time frames for practising teachers. Many professional associations and regulatory bodies in Ontario, such as the Royal College of Dental Surgeons of Ontario and the Ontario Association of Architects, require their members to complete a mandatory program of professional development over a specified time period. It only makes sense that we do recurrent training to stay up-to-date on things.

Modelled on the best practices in other professions and other jurisdictions, our program includes a series of initiatives which are being phased in over two years. Already in place is a language proficiency test, in effect since last fall, for new applicants to the teaching profession who took their teacher training outside of Ontario in a language other than English or French.

To be introduced over the coming months, pending approval of this legislation, where necessary, are a requirement that, starting next spring, all new applicants for Ontario teaching certificates take a qualifying test similar to a lawyer's bar exam, and new province-wide performance appraisal standards to ensure all teachers are

evaluated regularly and consistently in their classrooms. I think this makes sense, to make sure they're effectively communicating the important knowledge they are trying to communicate.

I think it is important that the ministry is also developing an internship program for new teachers to help them acquire strong teaching and classroom management skills. We will also be introducing a system to recognize teaching excellence, and it will establish a role for parents, educators and experts in a quality assurance process for schools.

In developing this comprehensive plan, the government is consulting with parents, students, teachers, principals, vice-principals, trustees, deans of education, the Ontario College of Teachers, as well as other education partners. Experiences in other professions and jurisdictions have been a key part in designing and developing this process.

Bill 80 would require all members of the Ontario College of Teachers to complete five-year cycles of professional development to stay up to date and to maintain their certification. I think this makes sense. Mandatory recertification was a key election promise our government made in 1999 and was recommended by the Royal Commission on Learning in its 1995 report.

Bill 80 would amend the Ontario College of Teachers Act to give the college clear statutory authority to implement and enforce mandatory professional learning requirements. In addition, the bill would confirm mandatory professional learning as one of the objectives of the college, determine the overall requirements for mandatory recertification, establish a statutory committee of the college to approve courses and providers, outline notice, appeal, suspension and cancellation provisions for teachers who do not complete the professional learning requirements—

Mr Christopherson: On a point of order, Mr Speaker: I'm not sure that a quorum is present. Would you be good enough to check, please?

The Acting Speaker: Would you check and see if a quorum is present?

Clerk at the Table (Ms Lisa Freedman): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The Chair recognizes the member for Parry Sound-Muskoka.

Mr Miller: Thank you. It's a little warm, I had to take my jacket off. I think it was the previous speaker. There was a fair amount of hot air coming out of him.

Where was I? Establish a statutory committee of the college to approve courses and providers, outline notice, appeal, suspension and cancellation provisions for teachers who do not complete the professional learning requirements, and determine the transitional requirements for mandatory recertification.

Approximately 40,000 practising classroom teachers and 6,500 new teachers would be the first to participate

in the mandatory recertification program, starting in the fall of 2001. All other members of the Ontario College of Teachers, including principals, vice-principals and other certified teachers, would begin in the fall of 2002. All members of the Ontario College of Teachers would be required to successfully complete seven core courses and seven elective courses during each five-year cycle. I don't think that sounds too onerous. As the previous speaker was suggesting, that's 14 courses over five years. As I understand it, there's a test at the end of each course, when all the information is fresh in your mind. This seems to me not to be too onerous and to be something that makes sense for recurrent training.

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Core courses would focus on curriculum knowledge, student assessment, special education, teaching strategies, classroom management and leadership, use of technology, and communicating with parents and students. Course lengths will vary according to learning requirements of the topic.

The courses and their providers would be approved by a professional learning committee of the Ontario College of Teachers, a key partner in this initiative. The professional learning committee would be established as a committee with statutory authority to approve courses and providers. The committee would be made up of five minister's appointees and six council appointees. The six council appointees would be two elected council members, two council members appointed by the Lieutenant Governor in Council and two council members at large.

The committee would approve providers and courses to meet the professional development needs of both new and experienced teachers. Regulations would set out the minimum criteria for the courses. It is anticipated that the regulations would require that the courses be related to student achievement, be linked to the core competency statements developed by the ministry in consultation with education partners, and include tests or other assessments to ensure they have been completed successfully.

Approved courses would include professional development activities and programs in which many teachers already participate to improve their skills or to teach a new subject. For example, many courses and programs currently offered by school boards as part of their required professional activities programs for teachers would be eligible for the new recertification program if they meet the criteria.

It should be noted that other programs can be taken as part of this recertification. For example, one qualification course counts for four recertification courses. So there are different ways of meeting the re-certification requirements.

The bill also includes transitional provisions to ensure that an adequate supply of professional learning courses and providers are ready for September 2001. During this time, the minister would have transitional authority to approve courses and providers to meet the September 2001 implementation date.

The minister would also be able to delegate this transitional authority to the chair of the college's governing

council to allow the college to do the initial approvals process itself. This would give the professional learning committee time to appoint its members and to publish its approval procedures.

This legislation, if approved, is part of our comprehensive plan to ensure that Ontario's public education system can achieve excellence. Our new approach to teaching excellence through rigorous professional development will ensure that all teachers stay up to date and have the skills and knowledge to help students achieve the higher standards we have set out for them.

A big part of this bill is about stability. Ontario students deserve an education system that prepares them well for the future. They need excellent teaching, a solid grounding in the basics, and confidence to be successful in an increasingly competitive world. Students also need a stable school environment in order to learn properly and to succeed.

The purpose of Bill 80 is to ensure students have the stability that parents and students have been asking for. We are taking this step because we want to ensure that students spend more time in the classroom and less time caught up in labour disputes. I certainly heard from many people in Parry Sound-Muskoka in my first month in elected office when the support workers' strike was occurring in my riding.

Parents and students have expressed concerns about how labour disputes between school boards and teachers or other employee unions have disrupted the education year. They have told us that our students need to be in school and studying if they are to learn the new curriculum and properly prepare for their future. Our legislation would ensure that this happens.

Bill 80 would provide that the first collective agreement between a board and teacher bargaining agent entered into following July 1, 2001, would expire on August 31, 2004. Subsequent agreements would have a term of three years. Local agreements are clearly the best solution. But we must also ensure that even during collective bargaining, the interests of students come first. By phasing in this new three-year contract requirement, labour disputes would be fewer and students' learning would continue to be our top priority.

We have ensured that school boards have the flexibility and funding they need to reach fair and reasonable agreements. While some have claimed that it is unreasonable to demand three-year agreements, a number of school boards and teacher unions already have two- or three-year contracts. Our new legislation will ensure students, parents and teachers that the longer three-year contracts and labour peace will be the norm, and I'm sure that's what all parents and students want. Beginning September 1, 2004, every collective agreement between a board and a teachers' union will be for three years.

We are also working to support students and protect them from labour disputes with non-teaching staff. As we have seen recently in Toronto and Windsor-Essex this year and also in my riding of Parry Sound-Muskoka, the support workers' strikes had a significant impact on the

students. That is why we are proposing that our legislation enhance the role of the Education Relations Commission. The commission provides important non-partisan advice to government when a teachers' strike is putting students' education at risk and there may be need for back-to-work legislation. Our new legislation, if approved, would have the Education Relations Commission provide the same kind of advice about strikes and lockouts involving non-teaching employees of school boards.

We believe that students need to be able to attend classes regularly. They need opportunities to play sports, act in school plays and try out for chess tournaments. They also need their teachers and support workers to be available to support them. The legislation we have introduced helps ensure students have the stable environment they need in which to learn and prepare for the future. School boards will have the flexibility to provide students with the co-instructional activities they need, and with the new teacher testing program, teachers will have the up-to-date training they need to help our students succeed.

We are taking these steps because we are committed to making Ontario schools the best in the country and among the very best in the world. We are committed to providing students in Ontario with the very highest standards of publicly funded education. We are committed to providing students with the tools and the environment they need to succeed. We are keeping our commitment to provide the quality education that parents want for their children in a stable learning environment. Parents and teachers are looking for better ways to resolve collective agreement issues. We are acting to bring stability to our schools. Ontario's students deserve nothing less.

The Deputy Speaker (Mr Michael A. Brown): Questions and comments?

Mr Dominic Agostino (Hamilton East): I have two minutes to quickly respond to the points that were made. I find the timing of this bill, first of all, an interesting diversion from the mess the government has got itself in with its introduction of the tax credit for private schools in Ontario. This becomes, again, as usual with this government, a diversion tactic. The reality with this bill is this shows again what is contained in the timing of this legislation, that frankly Mike Harris will continue to play politics with education, with kids' careers, with teachers, to try to benefit their own political agenda here.

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This bill has nothing to do with bringing stability into the classroom. Think about it. You're saying to school boards right across the province now, "You control the funding." I understand that. The government controls the funding for school boards. They determine how much school boards are going to get. They've actually cut funding, according to your own estimates, to education in Ontario since you've taken office.

Now you're saying to school boards, "Negotiate three-year contracts, but with no guarantee of how much money we're going to give you." Think about this.

You're not saying to the school boards, "We're going to guarantee you stable funding for three years. Now you know exactly what you're getting. Now you can go out and negotiate these contracts." One could understand that rationale if you had the other piece of the puzzle here. But you conveniently left out the most important part. So school boards will now go out and have to be forced by this government to negotiate three-year contracts.

Interestingly enough, the timing makes sure that it expires after the next provincial election, of course, so you can get your way out of that one without any dispute. And you're saying to school boards, "If we don't give you the money that is necessary for the contracts you negotiate, you'll have to find a way of making it happen." What does that mean? Fewer teachers, larger classrooms, fewer textbooks, fewer computers, difficult working conditions. That is the climate.

What you're doing is guaranteeing instability and chaos in the educational system because you've lost the public relations war. A few years ago we were winning that one. Now people understand that all you are concerned about is attacking teachers and attacking education in Ontario and you're desperately now trying to get your way out of this by saying, "This is going to create stability for three years." It's going to create instability for three years and there's the mess that you've created for the last six in this province.

Mr Christopherson: The member for Parry Sound-Muskoka mentioned during the course of his remarks the issue of teacher testing. I think it's worthwhile to put again on the record exactly what the Ontario College of Teachers, who are going to be the ones who will administer the tests, say about this government's announcement. I'm quoting from a June 7 news release. It states:

"The timing of the government's plan to launch a teacher recertification program this September is unreasonable and the costs are unknown, says the Ontario College of Teachers, the self-regulatory body for the teaching profession in Ontario....

"It is unrealistic to expect that this program that ties teacher licensing to completion of professional development can be successfully launched by September. The government is demanding that in a little over two months, with no clear funding commitments from the Ministry of Education related to implementation or maintenance, the college puts in place a recertification program for 40,000 classroom teachers—one third of teachers in publicly funded schools."

They go on to say, and this is the college chair being quoted: "I fear that the government does not recognize many of the very real implementation issues brought forward by the college," said Capstick. "But even more disturbing is the fact that the government is introducing changes to the Ontario College of Teachers Act without any consultation with the college council."

A couple of points on this: first of all, once again, no consultation. You talk a good story, but you don't do it. Second, here you go rushing in again. Where have we

seen this before? The curriculum that was rushed in; the purchasing of textbooks, when the teachers didn't know what the curriculum was; and the best example, property tax reform. You had to bring in seven bill to correct the mistakes you made in the first one because you rushed.

Mr Dunlop: I am pleased to comment this evening on the fine presentation by the member for Parry Sound-Muskoka. As a small businessman in his past career—I know his wife's operating their lodge today—as the father of four children and now as a politician, Mr Miller certainly has a strong interest in the education system today.

I'm sure he agrees with most of the parents when they say they want to be assured that their children have a stable learning environment. That is why we've brought out this legislation. People like the people in Parry Sound-Muskoka were tired of labour disruptions. I certainly believe this bill goes a long way toward improving any type of labour disruptions we may have in the province of Ontario.

Our government has said over and over again that we will continue to invest heavily in the public school system. Today we fund 72 boards across the province and there are four streams of boards in that area.

I'd like to just say a couple of other words about the member for Parry-Sound Muskoka. I had an opportunity last week, on this past Friday, at the OPP auxiliary graduation ceremony out in the Mnjikaning First Nation, when Mr Miller's wife, Christine—who's not only an active business woman and the mother of four, but she also joined the OPP auxiliary and is going to volunteer in her community of Bracebridge. I just want to take this few moments to congratulate Mrs Miller and the member for Parry Sound-Muskoka for their strong involvement in the community. I'm sure that's why he won that area with over 50% of the vote in the last by-election.

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I am pleased to make a few comments here too this evening.

I know that many of the teachers in my community and other parts of Ontario are teachers because they love the children. I guess they're getting sick of the government bashing them and blaming them for everything. I've been at fundraisers where they are trying to raise money for supplies and it's very hard. But the government has a habit of doing that. They are doing the same thing to the nurses and so on.

Getting back to the teachers, I don't know how, in the uncertainty that we have in Ontario right now, they can predict three years ahead in the contract. Governments can't do it because they don't know how the economy is going to be. I don't know how school boards will do it.

The government has to take into consideration the way things have changed in the last 25 years in this province and the type of students the teachers have to care for and try to get them on the right track. I've had meetings in my riding with people from all walks of life and they figure that the government, if they have any extra money, should roll it into the present education system, and back off and not criticize teachers.

I know that supplies are a big issue. I was just at one event in Cornwall the other day where we flipped hamburgers and hot dogs, trying to raise money. It's an annual event since this government took over, to make sure that they have enough supplies.

I've never seen so much criticism by any government. I've been in politics over four decades and I've never seen a government criticize and bash so many people as this present government does.

Mr Miller: I'd like to thank the members for Hamilton East, Hamilton West, Simcoe West and Stormont-Dundas-Charlottenburgh for their comments.

The member for Hamilton East referred to his favourite subject, which was tax credits for people who choose independent schools. I'd like to point out that this bill has absolutely nothing to do with tax credits. It's just the topic that you folks like to come back to.

The opposition parties do their best to create chaos and make it seem like there is chaos in this province, but I think this is a pretty reasonable bill. The member for Hamilton West was talking about change occurring. Well, change is always harder than the status quo, but it is also necessary and this bill does require a lot of change.

I believe that recurrent training simply makes sense. It's not something that's onerous. It's something that should be enjoyable. It's something that is very positive. It's something that is very necessary for teachers and many other professionals. It's something that I think makes complete sense, and if done over five years with 14 classes and just a test at the end of each course you take, I don't think that is unreasonable at all.

I think a stable three-year contract just makes sense, as well. We all want our kids to not have their education interrupted, to be able to go and have complete years with uninterrupted education, and that simply makes sense. Co-instructional activities make sense as well, so I'm glad this bill addresses re-establishing co-instructional activities where they are missing in schools around this province.

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The Deputy Speaker: Further debate?

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): I'm pleased to have the opportunity to add my voice to Bill 80, and for those who are watching, please understand it's about 102 degrees Fahrenheit in here.

Hon Dan Newman (Minister of Northern Development and Mines): It's going to get hotter.

Mr McMeekin: I think so.

What's in a name? The Stability and Excellence in Education Act—

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): And you're against that?

Mr McMeekin: I've got to tell you, I think it should be more appropriately named the Confront and Distract Act. I want to suggest that, given the record of this gov-

ernment, someone should have advised the minister, "If at first you don't succeed, stay away from skydiving. At least, if you're going to skydive, make sure you've got a parachute."

Basically, it seems that this piece of legislation is really all about confronting teachers and about the government trying to avoid the real educational issues that affect students across this province every single day. I want to speak to those issues tonight with respect to how it relates to parents, teachers and students who live in that great riding, from west to east, of Ancaster-Dundas-Flamborough-Aldershot.

At the outset, I want to say that in my brief time as the MPP and the more lengthy period as mayor of the town of Flamborough, I've met a number of children who dream big dreams and teachers who go out of their way to make those dreams come true. Those are strengths in this province.

It's a sad day when I look across from me and see Minister Ecker presenting a bill like this in the House. It's not so much what she's saying, but more the look in the eye that I think is causing so much consternation. Someone once said, "You start to cut your wisdom teeth the first time you bite off more than you can chew." It's pretty clear to me that this government, when it comes to education, has bitten off a lot more than it can chew.

I'm told I should have announced I'm sharing time. I don't think that's necessary, but just in case it is, I'll be sharing some time this evening with the members from Hamilton Mountain and Thunder Bay-Atikokan.

We've got some great players in this province and a wonderful team when it comes to education. What we need is some better coaching from that side of the House, if I dare say it.

The look in the eye that I referred to tells me that the minister really doesn't believe much of what she's saying. I think that she's being told by somebody higher up the ladder just what to do. This is just like the situation that exists around the private education tax vouchers. If Minister Ecker had her way, private education tax vouchers would never have been part of the budget bill. She knows, as I know and as many others in this province know, that there were other approaches that would have made much more sense. For example, pulling together a select committee of the members of the various parties in this House to look at how this important issue might have been handled I think would have made a lot of sense and would have saved us a lot of grief and the turmoil we're facing now. So too would have been the prospect of broadening what constitutes the definition of public education in this province. I think that would have been another useful approach, albeit one that this government chose not to explore.

The first main obstacle in this bill and in trying to make sense of the Confront and Distract Act is how the ministry hopes to have individual boards negotiate with teacher unions these multi-year contracts that they clearly aren't prepared to provide funding for. What absolute nonsense. I hope those who are viewing this evening give

some thought to this. What parent would make an important multi-year financial commitment without looking at the resources available to them?

It raises the prospect of turmoil with negotiations, because frankly it's difficult to conceive how anything close to good-faith bargaining is going to occur, given this scenario. This is the government that talks fondly about accountability. Simply put, this is not good public policy. In fact, it's another example of how this government seems to have a lousy manager strategy.

Let me just explain. This government keeps off-loading costs and putting all kinds of demands on its so-called partners throughout Ontario without any kind of assistance or any kind of guarantee with respect to funding. We've seen it in the environmental sector, finding traumatic consequences in the Walkerton situation. We've certainly seen it in the health care system. I can think of the situation where \$42 million was ripped from the Hamilton Health Sciences unit, then a management person was put in there, \$42 million was returned, and everybody was supposed to stand up and clap because we had somehow reclaimed the status quo. Now we see it happening in education.

Honesty is always the best policy. It's not always the cheapest, and we can't do education on the cheap.

The only real thing accomplished in this particular section of the legislation is that once again the Tories are using a large stick on teachers to let them know who's the boss. You would think the government would try to improve on the ever more detrimental relationship that they have some major responsibility for creating over the last five years, but instead they add even more gasoline to the already burning fire. When will they ever learn? Somebody once said good judgment was based on experience, and experience invariably on bad judgment. It's OK to make mistakes, but we should at least make new ones. Instead, this government seems intent on adding a deeper darkness to a night already devoid of stars.

The second area of concern is the whole problem of restoring extracurricular activities to secondary school students. Extracurricular experience really defines for many students in this province the essence of much of what constitutes their educational experience. Needless to say, over the last couple of years students have done without sports clubs and without activities because of this government's unwillingness to listen. Our leader presented you with the Liberal peace plan some seven months ago, with a number of solutions that were broadly supported by school boards across the province, administrators, teachers and parents. This government would not accept this solution, not because it didn't contain good ideas but because politics always seems to come before student welfare these days in Ontario. I want to say to this government, you should watch how you treat people on the way up, because chances are pretty good you're going to pass them soon on the way down.

Right now what seems to be a problem in this section of the bill is that most of the regulations have not been

clearly explained and some haven't even been announced yet. As a result of this, some teachers believe that they may have dramatically increased class sizes and that this government could very easily, if past performance is any indicator, unilaterally increase teaching time. Unfortunately, as a result of the obvious lack of trust and goodwill that exists between the minister and her government and teachers across this province, there is concern that teachers will end up in the same mess that ignited the problems in the first place. The issue of student-teacher time in the classroom simply has to be resolved through the upcoming regulations; if not, the problems again will rear their ugly heads next September. Sometimes I think the definition of a teacher from members on that side of the House is someone who can drink three cups of coffee before 8 am and hold it until 3:30 in the afternoon.

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The third section of the bill addresses the need for mandatory recertification for teachers, the so-called government report card. If this government's method of working with teachers was to be graded, they would certainly receive an F, for failure. The only thing they seem to have accomplished is to drive thousands of teachers away from a profession they love. We have over 100 excellent teachers in the Hamilton area and 200 in the London area, really good people, who are just so totally fed up with the state of disarray that has been created in this province that they're leaving the profession. They're leaving the profession in droves.

I want to mention what I'm hearing from my constituents about what's really going on in education in Ontario, what this government needs to be concentrating on in this bill before us today. I want to suggest that the essence of our effort ought to be to see that every child has a chance to succeed, and that we must attempt to assure that each child has equal opportunity in this province—not an opportunity to be equal, but an opportunity to be different, to recognize and then realize themselves whatever unique potential of body, mind and spirit they possess.

Only this past month, I've heard from four separate families in my riding who have children with special needs who require an educational assistant. The doctor and health professionals in each situation identify the child as having a need for a full-time educational assistant, and school reports confirm this. The only problem is that the Hamilton-Wentworth school board states repeatedly that they do not have the funding needed to provide the assistance required.

Let me put a real face on this problem, if I might. The member from Simcoe North might want to take note of this in terms of what he might say to Emily Carrie, a seven-year-old grade 1 student at Mary Hopkins school in Waterdown, who this year received a full-time EA for a half-day of school but has had that EA cut. Now she can't attend school at all, not even on a part-time basis. Karli Dunbar, a seven-year-old girl, also a grade 1 student at Mary Hopkins, has a number of safety issues related to health problems that she has encountered. Her

EA has been cut back to 0.5, with the very real risk of putting her school year in jeopardy.

These are real people, little kids with significant problems. They don't care much about the politics, and their parents don't care much about a lot of things that go on in this place, but they certainly see the turmoil in very practical human ways that this government has contributed significantly to.

Let me tell you about a local advisory group that I've set up in my riding. We try to do politics a little differently in ADFA. We have a series of listening groups: one on the environment; one on education; later we hope to create groups in the health care area and agriculture, and a constituent assembly as well. Last week I had over 60 people attend the first meeting of our educational listening group, together with over 600 years of educational experience in that room, 600 years of experience with educational issues in our community. Here's a list of what they had to say on the issues.

Like their MPP, they believe it's important to point direction, not fingers. Some of them asked that I speak directly to what they think is needed to restore stability and excellence, the so-called name of this act, to our school system.

First and foremost, they wanted me to share with you that this government needs to begin to listen to people again, people in the trenches: the students, the parents, the educators. They wanted me to share this evening that there's never a wrong time to do the right thing. They wanted me to raise a number of significant, real problems that they face. It was a three-hour meeting and it was traumatic. I wish some members from the other side of the House had been there.

They wanted me to raise the issue of post-secondary tuition fees that have escalated 65% in the last five years. They wanted me to raise the issue of a funding formula that pits communities against each other, particularly on the issue of school closings. They wanted me to talk about small rural schools like Lynden public school, that would have one teacher teaching three different grades with different curriculums in one schoolroom this fall. They wanted me to draw to the attention of this House the need to recognize the importance of investing in the early years to promote early literacy. And the real heart-breaker: they wanted me to raise the issue of a lack of funding for special education students, students with special needs. I referred to two such young people a few moments ago. They mentioned the issue of teacher morale: teachers who are not able to take it any more and are simply bailing out of the system.

One of them had an interesting quote about leadership. She said that outstanding leaders—I commend this to the minister and her government—go out of their way to boost the self-esteem of those they have contact with, knowing that if people believe in themselves, it is absolutely amazing what they can accomplish. Teachers are sick and tired of being dumped on. We need a coach for this team who can bring out the best in people.

The meeting asked me to raise the issue of the need to invest real dollars in the capping of primary grades at no

more than 20 students. They also wanted to have noted the challenge of the looming double cohort, which my colleague Dr Bountrogianni I'm sure will speak to. They spoke about grade 3 children terrified about testing and test results, and about parents who felt, for a combination of reasons, that test results were being used not as a tool but more as a club, that they were being misused currently or would be potentially misused down the road.

There was a lot of discussion about the disempowerment of school boards and the disparity between boards, particularly with respect to capital projects. Predictably, there was a reference to this government no longer providing capital dollars but in fact requiring school boards to take out massive loans, liens against the future, liens that cause them to go into debt to finance the construction of new schools.

They wanted me to note, and I'm sure the Minister of Community and Social Services will be interested in this, that they see a profound disjoint between the social services system and the workings of the school board, and some real discontinuity there.

It is clearly time, I believe, for this government to start listening again to those who have decided to set apart a number of years to obtain the training to engage themselves in the important profession of making a difference in the young lives of the children who are so very important to us.

Someone recently suggested that in an age where capital can be borrowed, raw resources purchased and technology copied, the only real advantage we have in Ontario and Canada will be recognized directly contingent on our ability to invest in our young people. This isn't an expenditure; it's an investment in our young people.

Finally, they wanted me to suggest that the \$2.2 billion in education cuts that have been independently verified by the recent social policy think tank ought to be restored.

With those comments, and with any kind of commitment at all from the other side of the House to start listening, we can take all of the wonderful things, all of the wonderful potential that's in Ontario, and use it to shape the wonderful quality of life that we used to take for granted in this province but is now so seriously at risk.

2030

The Deputy Speaker: Comments?

Mr Christopherson: I want to compliment my colleague from Hamilton, the riding of Ancaster-Dundas-Flamborough-Aldershot. Some of his last comments, where he talked about the investment in young people, are what I want to pick up on.

Earlier on, I was having an exchange across the floor with one of the government members on this very issue that speaks to where my colleague was. It was on the whole issue of special needs and kids who need the special education assistance. During the interchange across the floor, the member quoted how much money there was and I said, "That's not enough." Then he said,

"Well, that's typical of you types. It's tax and spend"—I'm paraphrasing, but tax and spend—and that's what really launched me.

Mr Dunlop: Taxaholics. Tax addicts.

Mr Christopherson: Here he goes again. Now it's tax addicts. I wish they would be addicted to education and to children, because that's what upset me the most. He was concerned about taxes—that's his number one priority—and over here our number one priority is the kids.

Mr Wettlaufer: What did you put in when you were there?

Mr Christopherson: I appreciate that you can't always have both, and when you have to make a choice between a tax cut and a child who has special needs, I say to the member from Kitchener Centre the same as I said to Simcoe North: come on in to Hamilton and you tell the parents of those disabled children, those children with special challenges, that your tax cuts are more important than that kid's future, that child's education. You come on in to Hamilton and make that argument. I don't believe for a second you will, because you can do it safely here in this nice—very warm—place protected with guards so nobody can get at you. Come on in to Hamilton where people can respond to you themselves.

Mr Wettlaufer: I have to respond to the member for Hamilton West. He stands in his place and pontificates as though he has a monopoly on caring for other people. He has such a monopoly that that government did dick all—dick all—for those poor children. You did nothing. You did absolutely nothing when you were in government for the disadvantaged. Those children that you're pontificating about, what did you do? Nothing, nothing, nothing. We're doing far more for them than you ever did.

The Deputy Speaker: Questions, comments?

Mrs Lyn McLeod (Thunder Bay-Atikokan): I would like to turn back to the comments of my colleague the member for Ancaster-Dundas-Flamborough-Aldershot. I'm particularly pleased that my colleague dealt with the instability in the education system thanks to a succession of legislative moves on the part of this government as well as the continuous beating up of the teachers who provide both the stability and the excellence in the public education system.

As my colleague has quite rightly noted, thanks to the fact that this government has made teachers the scapegoats for its cost-cutting agenda, we now have a serious teacher shortage. Teachers have been demoralized, they've been driven out of the profession in droves, and we do not have young people in the province of Ontario coming into faculties of education because this government has so demeaned and devalued the teaching profession.

How can this government bring forward legislation that stands in the name of stability and excellence in education when their entire focus has been on the kinds of changes which have destabilized the public education system?

We know that one of the things that's in this bill before us tonight is some measure of a retreat on one of

the truly destabilizing measures, one of the more recent destabilizing measures this government undertook, and that was to decide that when they had a problem in Durham where teachers were saying no to the enforced agenda of this government, the government decided to force its agenda on all of the teachers in the province by bringing in legislation that said teachers would be forced to do what they had always done voluntarily in providing extracurricular activities. Clearly this was unenforceable legislation. Clearly this was another attack on teachers, and it made teachers in this province angrier in ways than I have ever seen before.

There is some measure of retreat here; we're not sure how much. I guess we have to trust the Harris government to, through regulation, actually make this situation better. I don't think there's any reason why teachers in this province are going to trust a government that has so belittled and demeaned them over the last six years.

Mr Bisson: Two points. The first one is, to the public that have been lobbying and phoning and writing letters to the Conservative government about their cuts to special education, I want to say that your letters, your faxes, your phone calls are starting to hit the point. We are now finally seeing Tories really get agitated in the House, such as just happened when the member from Hamilton rose on a response and talked about the reality of what's happening in special-needs education. The truth is there are 37,000 kids in Ontario today who are on waiting lists and can't get services. That's up 2,000 from last year alone. You know as well as I do, because our constituency offices get it—I get it in Timmins, I get it in Kapuskasing, I get it in Hearst and I get it in Smooth Rock—you've got parents who have kids who are unable to get the services they need in order to give those kids an opportunity to adapt to what happens within the school life. That's just the reality.

You've completely taken out the money that the boards had. Prior to your coming to government in 1995, the boards had money to deal with that as well as the money from the Ministry of Education. You play around with the figures and you say, "Oh, we've given more to the Ministry of Education," but the reality is you took everything away that the boards had. That's the reality. So now when I see the members across get all agitated, I encourage my friends out there, I encourage all people who have a care for public education, who have a care for the issue of special education, to keep on pressuring those Tory members, because it's starting to work. I am just seeing them unravel, and it tells me that they're getting somewhere.

On the other issue, the attack on teachers, I just say to the government, enough is enough. You've gotten all the press releases, you've got all the hits, you've got the short-term political gain that you were to get from attacking teachers, but now we're starting to pay the price. It is not good for education, it is not good for kids, and I say get off your kick because at the end of the day the only people you're hurting are the kids, the same as you're doing when it comes to special-needs education.

The Deputy Speaker: Response?

Mr McMeekin: Just very briefly, someone once said there's a difference between being a wise person and a brilliant person: a wise person only believes half of what they hear; a brilliant person knows which half. I think increasingly in Ontario more and more people are reaching that brilliance stage. We see it in our office every day as teachers and parents and students almost without exception continue to articulate their concerns about how public education is going off the rails in Ontario, seriously off the rails.

I hope I never, ever get to the day where I can't believe that members on both sides of this House believe, as I believe, that the measure of a mature, compassionate and caring society is how we meet or at least attempt to meet the legitimate needs of the most vulnerable in our society. When I see students like Emily and Karli and when I hear the stories of Emily and Karli and speak to their parents, I want to say to the member opposite that the last thing in the world I would ever want to accuse them of being is tax addicts or those who want to exploit their situation in a tax-addicted way. We all want to see responsible government here, and responsible government has everything to do with how we reach out and touch the lives of young people and ensure that whatever God-given potential they've been given has every chance to be fully met. I'm hopeful that to whatever extent we have lost touch, we can somehow find the collective will to get our act back together again so these kids and other children like them don't have to go through this mess that we're in.

The Deputy Speaker: Further debate.

Mr Bart Maves (Niagara Falls): It's a pleasure for me to rise tonight and add to the debate on Bill 82, the Stability and Excellence in Education Act, 2001. I'm going to try to speak a little bit historically about how we got here with regard to the issue of teaching time which is in the bill.

Before I go forward, though, I want to mention, I remember probably six or 12 months ago in this House I stood and talked about the historical confrontational situation that has existed in this province between the government of Ontario and teacher unions.

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I recall reading from a book—and Mr Conway across the way was the Minister of Education in the Liberal government between 1987 and 1990—that in the 1990 election the teachers' unions followed Peterson everywhere in the campaign and protested. They were angry then about pension issues. This was the main thing they were irritated about back then.

I remember in the 1990 to 1995 period, when the 1995 election came along, teachers' unions were just totally cheesed off at the NDP government and wanted to get rid of the NDP government because of the social contract. Lo and behold, when we came in 1995 and 1999 and brought in a variety of changes to the system, including a new and tougher curriculum, province-wide testing for students, standardized report cards and a variety of other

things, we were protested against by the teachers' unions every step of the way and in the 1999 election they campaigned against us.

Now those teachers' unions are largely back in the Liberal camp and they're one of their largest fundraisers, and many of the federation representatives are in the Liberal riding associations. That's fine, anyone can decide where they want to go. The members opposite constantly lament the situation between the teachers and the government, but historically speaking, any fair on-looker would see that these fights, these debates, the government making a proposal and teachers' unions opposing it, has gone on for well over a decade in this province.

It was very interesting for me to see Lorrie Goldstein's column the other day about John Clarke, the head of OCAP. He lamented the fact the media was giving all of this attention to OCAP, and he did a literature search. He went back to 1987, 1988, the early 1990s and found all of the times that John Clarke was in the news, using almost the same language that he is using today to protest poverty, to protest government, to protest what he perceived to be government inaction. It's very similar here. I know a lot of people who've been in this place for a long time will probably know there's this familiar refrain of this debate and this fight between teachers' unions and the government, and we still have it today.

I want to talk, though, about a section of this bill that expands the definition of teaching time, and in so doing really will probably lower the amount of actual class time that secondary school teachers will have to spend before their classes. I just want to talk a little bit about that whole debate and how that has come about.

When we came into office in 1995, we appointed the Education Improvement Commission and we asked David Cooke, who was the former NDP Minister of Education, to chair that commission. That commission has done all kinds of consultations across the province with school boards, teachers' unions, parents, students and everybody in the education field, and they have come out with a variety of reports. I think they are on their third or fourth report now.

In their very first report—and if I recall correctly, it is one of the very first recommendations that the Education Improvement Commission made to this government—they looked at secondary school teaching time and they said that at six out of eight classes, which is three in the first semester, three in the second semester, they were at the very bottom of teaching time of secondary school teachers across this country. They were at the very bottom in the province of Ontario. Mr Cooke and the Education Improvement Commission said that we should increase that to, on average, seven out of eight periods. So every teacher in secondary schools across the province in a semestered system might teach three in the first and four in the second semester. That was their recommendation and, as I said, it was in their first report and it was one of the very first recommendations that they made.

Several other recommendations of that first report were in Bill 160. Many people may remember in 1997 all of the debates, all of the protests, the illegal teacher walkouts across this province over Bill 160. Now, at that time—and you could go back and read the newspapers—it was humorous yet sad, the amount of mythology that was put out there about what actually was in Bill 160. I had teachers telling me that they were going to have class sizes of 70 kids. I assured them that wasn't the case. There was differentiated staffing, and they said they were going to get rid of all the qualified teachers and bring people in and pay them \$6.85 an hour to teach classes, and I said, "No, that's not the case." And on and on it went.

Really and truly, in that bill, the two things that were most important to teachers' unions were, number one, we were taking away the school board's right to increase property taxes. For years, even in years when provincial governments were giving double-digit increases in grants to school boards, school boards were ratcheting up education property taxes. One of the statistics I remember from 1985 to 1995, I think it was, was that property taxes went up on average 120% from school boards. I went back and I remember looking, especially in the late 1980s, at large increases in grants from the Liberal government of the day, but at the same time, despite those large increases in grants, there were large increases in property taxes.

So we said, "No more will the school boards be able to increase property taxes." Obviously the unions did a great job year after year of getting pay raises and looking in other ways after their members' interests, usually whipsawing one school board up against the other. School boards always knew that they could dip into property taxes, increase their revenues and make any of their labour relations problems go away. It happened in spades all over the province. So that was the number one thing.

The number two thing was secondary school teaching time, as suggested by the Education Improvement Commission, was going to be increased. It was going to go from six out of eight classes to, on average, 6.67. The way this would actually work out was that every other year a teacher would have to teach three in one semester and four in the next. Every other teacher, every other year, would have to teach that extra course per semester. They also would have to teach a teacher advisor program, which would make up that extra 0.17. That was the other big issue on the table.

I remember after the strike a lot of elementary teachers, at the end of the day, once Bill 160 was implemented, said, "Hey, why did we go out on a two-week walkout? What was in this that really necessitated us doing an illegal walkout for two weeks?" They all realized that the reason they were out on the street—and I believe at the time, if I remember the dynamics between the unions, it was actually the elementary teacher unions that finally said, "Hold on a second here. Are we doing this for secondary school teaching time?" They were the first ones to break and decided they were going to go

back to work. They did, and then everyone else went back to work after about two weeks. So that's what that came down to.

Once that got implemented, once Bill 160 was passed and we started to move down the line from 6.67 as suggested—actually the Education Improvement Commission wanted us to bring in seven out of eight; we went halfway to what they said we should do—a lot of the secondary school teachers' unions across the province actually ended up still teaching three and three, six courses.

Among themselves, a lot of them decided they were going to bail out on extracurricular activities as a way to say, "Look, we can't do this. We can't teach an extra course every other year in one of the semesters. We can't do it, so we're going to withdraw services," even though during the debates on Bill 160 I remember quite clearly they said, "You know, the Education Improvement Commission has identified that we're on the lowest rung among all the other provinces for teaching time. That's true, but we also spend a lot of time marking papers and, as part of our job, we do extracurricular activities."

The problem was that when they withdrew extracurricular activities and ran work-to-rule campaigns, they didn't feel any impact. Only the kids felt the impact: they couldn't get their sports, they couldn't get their music. It wasn't defined as part of their job, and therefore there was no impact on their pay packet when they went on work-to-rule campaigns. So we brought in Bill 74.

Bill 74 was an attempt by this government to say we were going to define the teaching time so that extracurricular or co-curricular activities were actually part of the defined teaching time. Therefore, if they wanted to withdraw that service, they would find it impacting their pay packet.

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At the time, I remember the unions said, "No, no, no. Don't do this. We're not going to continue with this withdrawal of our services." So in actual fact we didn't proclaim parts of that bill that would have made it an assignable duty to teach extracurricular activities. The teachers' unions said that they would no longer do work-to-rule; they would return to extracurricular activities. Lo and behold, in many boards they did. In my boards in Niagara Falls, both my public and separate boards, secondary school teachers had full participation in extracurricular activities in the last year, but many boards across the province continued that job action.

So we went out and set up the Brown commission and asked them to go out and meet the teachers, go out and meet with the boards, students, parents and come back and tell us what we should do. They came back and gave us a report and said, "Well, you guys are going to keep bashing heads. The government needs to give a little and the teachers' unions need to give a little." What's in this bill on teaching time is exactly that: it's the government giving a little.

For people at home—and I've actually had lots of teachers in my office several times to explain how 6.67

works and how 6.25 works and so on and so forth—what it actually says is that if you have four teachers in a semestered system, teacher A would teach 3 and 3, teacher B would teach 3 and 3, teacher C would teach 3 and 4 in the second semester, and teacher D would teach 3 and 3. So what you get down to is that each year, one out of four teachers should teach four periods every other semester. That's it. Once every four years, one out of four teachers is going to teach an extra course. The rest of them are still 3 and 3. That would come to an average of 6.25 periods per secondary school teacher. So it's really quite simple.

The members opposite know this, yet a lot of the members opposite persist in putting these comments out about how we're going to have a quarter of a teacher in a semestered class. That's nonsense. The boards know that's nonsense, and most of the boards don't do that and won't do that, and I think most of the secondary school teachers know that's nonsense.

So what happens now is that a principal will look at his teachers and he'll say, "You know, Fred's going to teach 3 and 3 this semester and he should teach 3 and 3 because he's a new teacher in English. He's got a lot of marking, a lot of learning to do so he's going to teach 3 and 3. Joan has been here for 25 years. She's been teaching chemistry; she's got it down pat. She's going to teach 3 and 4." Then he can look at the rest of his teachers and decide that that one is going to teach 3 and 3 for this reason, this one's going to teach 3 and 4 and so on.

Principals are there in the schools working with their staff. They know which ones are doing extracurricular activities. They know which ones can handle an extra semester once every four years. If they want to do it equally, as the unions like to say, everybody has to have the same teaching load, then they can just rotate that period. What's important to note is that principals have the discretion to decide to assign that period based on how they think workload should be designated in their school. That's what is important in this bill: each year just having one of those four teachers teach a fourth period. We were at, each year, two of those four teachers having to teach a fourth period. We've compromised.

I note that even Jim Smith, when we brought this bill in and introduced it—he's the President of the Ontario English Catholic Teachers' Association—said, "The province has really shown its good faith today when it says it will repeal sections of Bill 74 that would have forced teachers to perform these activities." Annie Kidder, who is obviously no fan of the government—her organization I believe exists just to protest the government—says, "This is a big concession on the government's part and I'm glad they made it." That's not an easy thing for that lady to say. Mr Brown, who was the chair of the commission that recommended that we compromise, came forward after the minister made the announcement about what's in this bill and said, "That's the way it should be done. That's what we were talking about in our report. Someone needed to make a compro-

mise.” Ray Mulholland, the chair of the Hamilton-Wentworth District School Board, says, “It’s welcome news because it creates harmony in our secondary schools.” Liz Sandals: “The government, to their credit, has had the nerve to make the first move and has put some building blocks to a compromise on the table.”

So that’s a very short, quick, fair and reasonable history lesson of what’s come forward and how this whole question of teaching time has gone forward.

I volunteered in schools for many years. I’ve coached basketball at my local high school, boys’ and girls’ basketball at the high school level; I’ve just finished coaching John Marshall grade 7 and 8 kids this year. I got back to it for the first time since 1995. I played sports throughout my school years and got a great deal of value from extracurricular activities. I know a lot of the teachers who coached and I know a lot of the volunteers, because I had as many volunteers coaching me in my playing days as I did teachers. A lot of those teachers probably prefer the coaching and the extracurricular stuff that they did to the day-to-day work of teaching.

A lot of them, like myself as a student, quite often felt, “I find school boring this year or this semester,” and I lived for basketball. I had basketball and that kept me going to school all the time. I know I’m short, and I probably surprised the member opposite that I actually played the game, but I did, and some would say I played it very well. It’s something that kept me coming back, and I think those activities keep a lot of kids coming back to school. I know that my coach in high school, Mr Lalicich, was actually a volunteer. He volunteered to coach football; he volunteered to coach basketball. He was someone from the community, not a teacher. I knew that if I didn’t go to school, I didn’t play, so that was a very important part of my experience. I tried to use those same principles when I coached at the high school or the junior high level.

So I think this is another compromise on behalf of the government. We’re down to 6.25, so one out of four secondary school teachers will have to teach a fourth class now each year. I think that’s very fair and reasonable; Mr Brown said it’s fair and reasonable; Liz Sandals and even some of the teacher union heads have said that this is a fair and reasonable compromise. Now I hope, as we go forward, that teachers will all come back and they will, all those who love to do extracurriculars, do that. I hope we won’t see the posters of a pair of eyes outside a teacher’s classroom saying, “We’re watching you,” for those who are volunteering to do extracurricular activities when the teachers’ union really doesn’t want most people to do them. I hope all that ends. I hope that gets behind us, because extracurricular activities are a vital component of any kid’s school experience. I think this bill is very helpful to that end.

I applaud the minister for setting out a commission, asking for a commission’s advice and, when that commission came back, not putting that advice on the shelf and actually moving on that advice, just the way we did with Mr Cooke’s advice in the Education Improvement

Commission, when he brought forward the first report, the second report, the third report. We’ve always acted on these reports that come forward from the Education Improvement Commission. When you set up a commission and say, “Look, go out and help us solve a problem,” and they come back with good, sound advice, one has to look at it seriously and one has to implement at least a large part of that advice. Otherwise, what’s the sense of having those people out there?

I congratulate the minister. I will stand here and support the bill. In my board, as I said, both in public and separate, we’ve had full extracurricular activities in the past couple of years and I look forward to other secondary school teachers around the province finally putting down their objections and getting back and doing this very vital component of extracurricular activities in schools around the province.

The Deputy Speaker: Questions, comments?

Mr McMeekin: I appreciate the comments of the member for Niagara Falls and the time he took to lay out the details of the bill and the teaching time. I would certainly concur with him that it’s a start. There have been some voices in the educational sectors out there, as the member for Niagara Falls made reference to, who like at least the start with respect to this legislation.

I do want to note, though, just for the record that members on this side of the House don’t consider Annie Kidder’s group as existing with the sole raison d’être to criticize the government. I’ve met some of the People for Education and I certainly don’t get that take from them.

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As an old history major, I find it particularly interesting how history can be shaped depending on where you’re sitting. The reference to some of the quotes, particularly those of Ray Mulholland—my fellow members from the Hamilton area will perhaps see some of the irony in that. As I recall, it was Mr Mulholland who wrote during the confrontation and said that in his 30-some-odd years as a school trustee he had never seen a worse abomination in terms of educational policy and leaving school boards out on a limb. I can recall too Mr Mulholland talking about the school plan, what they could do with the \$9.1 million they saved from the strike to help people like Emily and Karli. The minister from the area said that for obvious reasons they didn’t want to affirm those awful teacher unions—

The Deputy Speaker: Thank you.

Interjections.

Mr Christopherson: Well, it depends. If you guys want to start up, we can have another blow-up, I say to the minister across the way.

I want to pick up where my colleague was on the issue of quoting Ray Mulholland. I know Ray Mulholland. I worked with Ray Mulholland. I’m a friend of Ray Mulholland’s. I won’t go any further with that setting-up, except to say that if you want to quote Mr Mulholland, I certainly can’t think of a better source of information about what’s going on on the ground. But I would ask the member to be a little less selective, because Ray

Mulholland has indeed for almost 40 years been the trustee in ward 4, which happens to be my previous ward when I was on Hamilton council, and many of those years he spent as the chair of the board. He has been very forthright in his criticism of your funding policies, what that has meant to him and his colleagues and what that has meant for the kids in the system in Hamilton.

He specifically talks about the cuts in transportation that have caused enormous problems for us in Hamilton. He has a particular thing about the cuts to custodial care because, in the long run, under your formula, that no longer is considered classroom funding. I guess if the rooms aren't clean and the kids get sick, that has absolutely nothing to do with classroom learning under your funding. He has spoken about the new funding formula, where it is on a per-pupil basis and what that has meant for us, especially a board that has a lot of special needs.

There's a whole array of comments that Mr Mulholland has put on the record. I would ask you to give those equal weight to the one selective quote you decided to use tonight.

Mr Dunlop: I'd like to congratulate the member for Niagara Falls for his comments this evening and for what I consider to be a fairly extensive history over the last 20 years of education in Ontario. I forgot about some of the problems with the union leaders and the different governments we've had throughout the province. I'm thinking again of when the member from Niagara Falls mentioned the David Peterson government, when Mr Conway was the Minister of Education, and how people were not happy with the pension reform and some of the work that was happening at that time and they turned on Mr Conway and the Peterson government in the 1990 provincial election. Then, with the social contract and Mr Rae's government, between 1990 and 1995, they turned on Mr Rae as well.

One of the things I want to briefly mention is the point he made about the increase in property taxes between 1985 and 1995. He's right; it was 120%. It is how the education tax bill was effected on our property taxes across the province. I believe we had in that same period of time an increase in enrolment of 16%. I believe that the inflation factor was around 40% at that time, and many people across the province—and I'm sure the member from Hamilton north, from the Flamborough area, as a municipal politician must remember the complaints we took about the rising education costs in Ontario. People talked about disentanglement and making sure the province would look after all of the controls.

I just want to say that I support the comment—

The Deputy Speaker: Thank you.

Mrs McLeod: I'm surprised at the number of inaccuracies for lack of awareness on the part of the member for Niagara Falls about what's happening in education, particularly in his home area, since I understand he has a close relative who's on the board of education and should be able to make him aware of the underfunding realities in that particular board.

I was also surprised that the member for Niagara Falls suggested that there were lots of teachers who had

withdrawn their services in providing extracurricular activities. I say to the member from Niagara Falls, there were not lots; there were teachers in Durham region, the Minister of Education's region, who had chosen to withdraw their services. Because this government was not prepared to deal with that issue, they simply created a crisis for every other board by bringing in legislation that said, "We are going to force teachers to do what they have always done voluntarily," which in 99% of the boards across this province they were continuing to do voluntarily. They didn't start to withdraw their services until they were so angered by this government's attempting to force what they have always done out of their commitment to their students that teachers just got so fed up and so frustrated that they said, "We will not carry out this government's agenda for them."

I'm not surprised the member from Niagara Falls nor any other government member appears to want to talk about the ridiculous attempt in this bill to suggest they're bringing stability by having three-year contracts mandated when they only provide one year of funding. No wonder they don't want to talk about it. It's the most ludicrous piece of legislation I've probably seen. They are bad pieces of legislation, and we've seen lots of those, but this is ludicrous.

When it comes to this bill talking about excellence in education, and the member from Niagara Falls talking about the people in education, I wonder how closely he's looked at some of the facts People for Education have produced, such as 66% of schools reporting that students must share textbooks due to a shortage of supply and 63% of schools reported worn or out-of-date textbooks. The government, which has taken over total control of funding and downloaded other costs to municipalities, I say to the member from Niagara Falls, can't talk about—

The Deputy Speaker: Thank you. Response?

Mr Maves: I'm saddened by the comments from the member for Thunder Bay-Atikokan. I know that one of the things we said when we came into office in 1995—and I remember during the whole Bill 160 process a lot of parents telling me about their textbooks held together by tape and sharing textbooks—we spent well over \$100 million in one year alone on textbooks, science equipment, computers. Just about anybody you talk to in the education system will admit that there are a lot more textbooks, computers, science supplies and so on in the schools today than there were five, six years ago.

The members from ADFA and from Hamilton West—actually, to the member for Hamilton West: everybody I quoted, if you paid any attention whatsoever, you'd realize are not traditional supporters of the government. Every-one I quoted is a traditional opponent of the government, and that's exactly why I quoted them. That tells you that all of these traditional opponents of the government support this legislation. So if the traditional opponents of the government support the legislation, then the members opposite surely can realize that we've thrown out an olive branch, a large olive branch, to the secondary school teachers' federation. That's the whole reason I quoted them in the first place.

I know the members opposite need to oppose because they're opposition, but I would hope they really take a second look at this, listen to the traditional opponents of the government who are supporting the government with this piece of legislation and think about supporting the bill as it goes forward, because the bill, as I said, very importantly is a compromise. While teachers still have 6.67 as the amount of time on average that they're supposed to spend in the classroom, only 6.25 of that now is actually teaching classes. We've expanded the definition of teaching time so they can spend some of that time doing some remedial work, some supply coverage and some other duties. It's an important concession, again, that the government has made, and I hope the opposition will support it.

The Deputy Speaker: Further debate?

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Mrs Bountrogianni: It's a pleasure to come and debate this bill. After six years of creating instability and inducing lack of excellence in education, alas, we have Bill 80, the Stability and Excellence in Education Act. I will say one thing: at least you have acknowledged by virtue of the title that there is instability in education today. You have to ask yourselves why.

Between 1995 and 1999, when I was still working as a psychologist in the Hamilton board of education, we had a greater increase—a significant increase—in teacher absenteeism than ever before, and an increase in long-term disability for mental health reasons significant when compared to the years before.

When I was hired in 1988 by the Hamilton board, I was hired to work with children and to help teachers help children. What I ended up doing by the time I left in 1999 to take this position here is give stress management workshops to teachers. I don't think it's a coincidence that that happened between 1995 and 1999.

Again, when I was first elected in 1999, the very first week, what was on the agenda in my city and that of the members for Hamilton West and Aldershot-Ancaster? Twenty-two children were at home, disabled kids, because they didn't have educational assistants. They were at home for almost a month. They finally did get educational assistants, even though it wasn't in their budget, but they knew that they would have to pay the piper at some point. They didn't have the money, and the funding formula is so inflexible they couldn't find it anywhere else. And we had a strike. My kids were out three and a half weeks. The money had to come from somewhere. Now, after arbitration, in Hamilton we will have a loss of teaching staff, so even a larger student-teacher ratio. Forget about the rhetoric that you hear across the way: the classes are larger and larger. One of my schools, Fernwood school, has over 30 kids in the primary class. So I don't know what they mean about averages, but 30 kids in the primary at a school where there are a lot of special-needs kids is just unconscionable.

I'll start with the recertification and the fact that the College of Teachers wasn't consulted on this. How could

you not consult the professional body for teachers? That is ludicrous, to quote my colleague from Thunder Bay. That is absolutely ludicrous. How do you measure the competency of a teacher—

Interjections.

The Deputy Speaker: Members will come to order. The member for Hamilton Mountain has the floor.

Mrs Bountrogianni: Come on, guys.

How do you measure the competency of a teacher who takes a personal interest in a troubled student's life? In approximately 1996, a high school student at Sir John A. Macdonald school—not in my riding; I believe in the riding of Hamilton West—was sexually abused by one of the counsellors at his co-op. This was a student who lived by himself, who was on student welfare. The physical education teacher at his school actually took him away from there because he was distraught and depressed and upset, and took him to his parents' house. They basically adopted him for the rest of the school year, and there was a lot of counselling for him to get over that situation.

How do you measure that on a test? How do you measure teaching special education on a test? How do you measure intuition when a teacher knows that something is wrong, can't quite put her or his finger on it but knows there's something wrong and refers the student on for assessment? Those are things you can't measure.

With respect to ensuring teacher competency and recruiting good teachers, that's very difficult after spending six years demoralizing them. The Minister of Education then said he was going to create a crisis, and he was true to his word. He created a crisis. Premier Harris has said himself very recently, in the last couple of months, "these teachers that are poisoning the school environment." How do you then expect the teachers to respond or to react? It must be a tough job being a Minister of Education, giving wonderful speeches out there about how we value teachers, in the same week as her leader is saying teachers are poisoning the classroom environment. It must be a very tough job for Minister of Education Janet Ecker.

A grade 4 student, Joanna, at Rousseau school in Ancaster wrote this: "In our school we had to make our own money to get our playground. Mike Harris didn't pay for it like he was supposed to. Also, we have to bring our own Kleenex to the class every week. Because of all the stuff our school has to do by ourselves, our teachers could not take the stress, so now three teachers and our school principal will leave. We also don't get that many field trips because of the strike. To get our school back on its feet, someone has to stop Mike Harris." A very smart 10-year-old wrote that.

I'd like to read, on that, an unsolicited letter from a teacher. In fact, this is not to me; this is to the director and cc'd to all of us, basically—all of the trustees, all of the MPPs in the Hamilton area.

"Dear Mr Matier,

"I have been a teacher with the Hamilton-Wentworth board of education for 13 years (nine years with Hamilton and four years with Hamilton-Wentworth). I

teach at Rosedale school and I am also the parent of a Rosedale school student. Three years ago I wrote to you, the trustees, and my superintendent expressing my disillusionment for public education as a result of the changes made to education under the current government. Our education system has become almost solely driven by financial and political factors and the ultimate goals of education have been lost.

"In seven years my teaching assignment at Rosedale school has tripled from being a physical education teacher, to teaching physical education and computers/IT, to my present teaching role teaching physical education, computers/IT, and librarian. This increase in workload has all been done within a part-time workload of 0.5 to 0.7. During this time also, Rosedale school has lost a music specialist teacher, a physical education specialist teacher, a full-time librarian, a cleaning staff member, the principal's assistant position, and has currently lost the principal position.

"When I wrote you previously I told you that 'The current situation in education has left me overworked and feeling betrayed, overwhelmed and totally devalued and unappreciated. It is "killing" my spirit.' My feelings now, after learning of our loss of the principal position at our school I liken to that of an abused individual hit over and over until they no longer feel. So ... in order to get on with daily functioning I have found myself blocking out my emotions in order to cope with these job and program losses and the fear of working without a leader. How much more can we take or have to take? We have been hit with cutback after cutback. I find myself paralyzed by the stress of this ongoing assault.

"I have difficulty respecting the public education system at almost all levels. I continue to be appalled at the lack of humanity with which changes in education have been made and which administrators in education now employ. As a result I struggle to go to work each day."

Interjection.

Mrs Bountrogianni: The member opposite citing the 10 weeks off: another example of the mean-spiritedness.

Mr Steve Gilchrist (Scarborough East): Oh, I'm mean-spirited?

Mrs Bountrogianni: Yes, it certainly is mean-spiritedness. Did this particular teacher invent the 10 weeks, when they're usually taking courses? Wait till you have kids in the system.

"It is very clear by the ongoing decisions and lack of sufficient funding of the provincial government, that it does not in practice value public education even though its mandate is 'quality education.' (It is not possible for any board to provide 'quality education' to the learner under the present terms of Bill 160.)

"I sincerely hope that those who have chosen leadership roles in education (trustees, directors and superintendents) will take the time—"

Interjection.

Mrs Bountrogianni: I've hurt a nerve. He's still rambling on over there.

The Deputy Speaker: Order. The member for Scarborough East will know he's not in his own seat, and if he says another word, he won't have to take it.

The member for Hamilton Mountain.

Mrs Bountrogianni: Thank you, Mr Speaker.

"I sincerely hope that those who have chosen leadership roles in education (trustees, directors and superintendents) will take the time and have the courage to challenge the Harris government's attack on public education and stand up and say 'Enough already!' I would be most interested in hearing how the issue of insufficient funding and other government reform is being addressed.

"I am awaiting your reply.

"Respectfully,

"Linda Chenoweth."

I have permission to use the teacher's name. This was sent to the director of education.

I saw this too, before I was elected. There was a trickle-down effect of the sort of tough new leadership of Mike Harris: teachers had it too good. Most of the administrators were really good and treated their staff with respect, but a few took on that leadership role of Mike Harris, that new tough-leadership role, and actually would bash their own teachers, and I've seen this. I've seen this in superintendents and I've seen this in some of the even higher positions at boards across the province. It's extremely demoralizing to the really best teachers in this province and in my city when they have to wake up morning after morning and read in the paper one more insult from the government.

I have to say I've been paying very careful attention to what has been said and by whom, and it's not as much the Minister of Education, even though her policies are destructive, but it's the Premier. It seems like the Premier can't control his mouth when it comes to teachers, and I really wonder what happened to him, either in school or afterwards, for him to have this almost pathological disdain for the teaching profession. It is amazing.

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Mr McMeekin: You're a psychologist—

Mrs Bountrogianni: I'd have to spend more time with him and I don't want to do that. But I often wonder. Then the Minister of Education—I look at the embarrassed look on her face—has to clean up. No matter how professional and how much of a team player she wants to be, the fact that she wasn't in the loop for this tax credit was so obvious. I'm sure that many people across the way miss Ernie Eves because I'm sure he was more of a team player than their present finance minister.

Hon Mr Baird: Oh—

Mrs Bountrogianni: Well, my opinion.

Hon Mr Baird: Jim's a good man.

Mrs Bountrogianni: I didn't say he was a bad man.

The Minister of Education did give a speech in April that talked about the need for extra help being given to students who need it. I want to read a letter. I won't mention the student's name. She is in high school in my riding. This one she wrote to me May 21.

"I am writing this letter to you because of the new curriculum being enforced in our schools." This particular school is actually in Mr Christopherson's riding, but the student lives in my riding. "This is an issue that distresses me deeply and has had a significant impact on my life. I attend Westmount Secondary and the task of completing all of my courses on time has become an increasing problem. I am sure I am not the first person that you have heard this from and I probably won't be the last. This is a very common topic among just about every student these days and it is a situation that needs to be reviewed.

"All throughout my grade 9 year, difficulties with my schoolwork arose, but like all other freshmen, I overcame them fairly easily. However, even during the first few weeks of the first semester I felt stressed a large majority of the time. Now, almost three quarters of the way through second semester, my math average is a low 64% and the new civics/careers courses (if you can call them courses) are too much unnecessary work to handle. My math class consists of 31 grade 10 students and one teacher." Which, by the way, will increase by one under this new act. They're a guinea pig class.

"We were lucky enough to get one of the kindest and most qualified teachers in the school, but each student needs so much extra help that one person can't do it all." Where is this extra help that the minister was speaking of?

"Most younger classes get a 'peer tutor.' These are older students who get a credit to help the teacher and students in courses that they have a thorough grasp of. Unfortunately, the only students that are eligible to peer tutor grade 10 math are OACs and no one in grade 13 has the extra time to spare in their final year of high school. Without the assistance of a peer tutor, one-on-one help comes in two-minute segments each day. This is simply not enough. If I work hard enough to finish math by the cut-off date, I will be lucky to pass my exam. The other major difficulty that I am struggling to deal with is the current civics/careers courses. They are courses that contain some important and useful information but the way that they seem to have been thrown together at the last minute makes going to class a long, boring chore." The course is being rewritten, she says. "Until then many averages are being pulled down by the pointless, time-consuming civics/careers courses."

"In the beginning, the idea of cutting high school down to four years and making the curriculum more challenging seemed brilliant. Sometimes things are better written down. The worries about not everyone getting into the universities and colleges of their choice are virtually non-existent now. The students that are in grade 10 now will have such low marks that we won't be any competition to those a year ahead. I suggest that extra help for math classes should be provided." This is a grade 10 student. "More teachers or experienced people in the field should be hired. I realize that this would be a great cost to the government but the future of our country just might be worth it.

"I look forward to hearing a response from you."

These are three individuals who have said what you're doing is wrong.

I'd like to comment on the three-year contracts by 2004. The member for Simcoe North said, "What's wrong with that? Two boards in the province already have three-year contracts." Well, two boards in the whole province have three-year contracts. How can you get a three-year contract without knowing your budget for three years?

Mr Dunlop: Forty-four have two-year contracts.

Mrs Bountrogianni: Forty-four have two-year contracts, OK. But three-year contracts, there are two in the whole province, and there's a reason for that. If you settle a contract today for three years and you don't know what you're getting, then you will be laying off teachers or you'll be laying off other staff. This is purposely done so that you can have one big strike in the fall, get it over with and have the contracts, either through arbitration or not, for the next election.

But you know, the parents are on to you now. I must admit it took a bit of time, but the parents are on to you now. And the polls are showing that the parents are on to you now. They're sick of this instability. They're sick of having to share textbooks. They're sick of having to bring things like Kleenex to school. This particular child lives in a middle-class neighbourhood. Raising the money wasn't a problem for the parents. But raising the money for playgrounds in inner-city schools is a problem. It's just not fair.

Education is supposed to be the great equalizer. You have increased the gap so that the rich can get more and more successful and leave the poor behind. But guess what? That backfires. Crime increases. Our children who have better resources will be looking over their shoulder like they do in the States when you increase the gap. That's been proven by research, and I know you all know that. And I know.

Again, I hear from the good member for Simcoe North about how much is enough. I'm really proud of the response from my colleague from Hamilton. When it comes to kids' education and health care, there isn't an amount. You have to spend what it takes. Otherwise, what's the point? What's the point of paying off your mortgage if the roof falls and kills you? Think about it.

Maybe it's because I've worked with disabled kids. Maybe it's because I was totally ashamed about being an Ontario politician yesterday when I heard about my good colleague from Flamborough's case. A seven-year-old was hospitalized 78 times for asthma. Her educational assistant isn't even there primarily for education. Her educational assistant is primarily there to keep that little girl alive. And you want a tax cut instead of giving her a chance to life and education? What's the matter with you? You're a nice guy. Think about it. Think about it.

You can't legislate kindness and you can't legislate commitment, but you can put in enough resources and you can increase morale in the system so that little girl, Emily Carrie, can be at school. You don't have to believe

us. Call her, or as Mr Christopherson says, come to Hamilton. I dare you to come to Hamilton. Come to Hamilton and talk to the parents of the disabled kids, from the low socio-economic background right up to the high middle class, who are disgusted with your government, and you will see that. You will see that next Thursday, and you will see that in the year 2003.

But what do we do in the meantime? What do we do in the meantime for these kids, these disabled children?

Another part of this new bill, actually the minister's top aim in this bill, is to make home-schooling easier, to take away a lot of the administrative sort of strife to home-schooling. As much as I think home-schooling has to be a last resort, this wasn't by accident either. You know that many more kids will be home-schooled as a result of your actions. You know that many more disabled kids who can't have an educational assistant will have no choice but to stay at home, so sure, make it easier for them. Send them the books at home. That's such a cop-out. That is so easy. Send them a little standardized test at the end of the year to see how they're doing. How shameful. When I read it, I thought, "How obvious. How transparent to actually put this in the same week as you're putting everything else in this act."

Children need to socialize. Again, it has to be extreme, rare cases where they are home-schooled. That little girl in Flamborough loved being at school, but she needed that EA. She is allergic to just about everything, and she's severely asthmatic. She needs that EA there almost like a nurse; actually, even more important than a nurse.

That is what's at the crux of this. What do we sacrifice? What do we sacrifice for these tax cuts? That is what we're sacrificing. We are sacrificing little Emily's education and possibly health care. I don't know how you're going to sleep at night if, knock wood, anything happens to her or anyone else as a result of your dinosaur policies over there.

Mr Dunlop: Increased funding is dinosaur policies?

Mrs Bountrogianni: Increased funding. You know, the mantra over there is "increased funding." I hear this all the time: "We have spent more than any other government," regardless of whatever they spent. The demographics have changed. Hello! We've got a baby boom out there that's in school now. OK? You've got a funding formula that is totally static. You have taken the trust and the power and the control out of the board. And instead of being brave enough to say, "It's centralized negotiation, and we're going to do it all," you just starve them and say, "You do it." It's brilliant, politically. Let them do it. Let the boards do the dirty work. Let the parents get mad at the board.

But the parents are on to you. They've had it. Even the Tories are coming up to us and saying, "This isn't what we voted for. My child doesn't have a space in university. My child doesn't have an educational assistant," and they'll show you in 2003.

The Deputy Speaker: Thank you. It being 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 2130.

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		York West / -Ouest	Sergio, Mario (L)
		Vaughan-King-Aurora	Vacant

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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